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THE END JUSTIFIES THE MEANS

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J. BEAUFORT HURLBERT, M.A., LL.D.

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Proven, from Jesuit Authors,  
to have been taught for 350 years.

MONTREAL, 1890.



# THE END JUSTIFIES THE MEANS;

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BY

J. BEAUFORT HURLBERT, M.A., LL.D.



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## PREFACE.

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In a Lecture delivered in St Patrick's Church, Ottawa, on Sunday evening, February 24th, 1889, and which was afterwards published, the Rev. M. J. Whelan gave the following challenge:—

“A reward of five hundred dollars will be given by me to any one who shall produce a bona-fide passage that will convict the Jesuits, or any Jesuit, or any approved Catholic Theologian of teaching the doctrine that ‘the end justifies the means,’ as that maxim is vulgarly understood. This offer will stand until the 12th day of July next, being the first anniversary of the Jesuits’ Estates bill, of Quebec.” (*The Jesuits: their Apologists and their Enemies*, p. 26).

On the following Sunday evening, March 3rd, the same challenge substantially was repeated. He said:—

“I now renew the offer: five hundred dollars will be paid by me to any one who shall produce a bona-fide passage that will convict the Jesuits, or any Jesuit, or any approved Catholic Theologian of teaching that ‘the end justifies the means,’ as that maxim is vulgarly understood, *i.e.* ‘that it is lawful to do evil that good may come.’” (*Ibid.* p. 40).

He then made the following proposition:—

“A Commission of Inquiry, to be composed, say, of five members: we to select two competent, moral theologians; the other side to appoint two representatives; these four to choose the fifth member of the Commission. Let a day be fixed for the opening of the Inquiry, and let it be

agreed that all passages to be cited from Jesuit authors, or other approved Catholic casuists shall be filed with the Commission, at least thirty days before the inquiry begins ; two copies of each passage, or extract, to be supplied, with the title and the page, from which it is said to be taken." (*Ibid.* p. 40).

After full deliberation I formally accepted this challenge previous to the 12th day of July, and appointed the Rev. Principal MacVicar and the Rev. Professor Scrimger, of the Presbyterian College, Montreal, as my representatives on the Commission of Inquiry. Father Whelan, on his part, appointed the Rev. Father Jones and the Rev. Father Doherty, both Jesuits, as his representatives. By arrangement these four met at St. Mary's College, Montreal, on the 29th August last, for the purpose of selecting the fifth member of the Commission. My representatives proposed the name of the Rev. J. Clarke Murray, LL.D., Professor of mental and moral Philosophy in McGill University, a gentleman who is well known as a writer on these subjects, and fully qualified in every respect to act. The two Jesuit Fathers declined to accept Dr. Murray, and offered to take any Professor of Moral Theology in any Roman Catholic Institution, thus insisting that he must be a Roman Catholic. On the ground that no theologian of the Romish Church could be supposed to be impartial in his decision, the offer was, of course, rejected. Being thus unable to come to any agreement as to the fifth member of the Commission, the inquiry necessarily fell through, and I had no opportunity of laying before them the passages which I had ready from various Jesuit authors in support of my contention. I, therefore,



now lay them before the public that all may judge for themselves as to what the Jesuit teaching on this point really is.

The passages, except a few too offensive for the eye of the general reader, have been translated into English, but as a guarantee for the correctness of the rendering, the original Latin, some short quotations excepted, is given in an appendix, with full references, so that they may be found in the works without difficulty by those who have them within reach. The public have a right to know the principles of the Order which has been chartered and subsidized by the Government, and encouraged to extend its operations in the country. I feel satisfied that no unbiassed mind can study the extracts given here without being convinced that they practically teach the obnoxious principle that "the end justifies the means."

By adopting the references to the opinions of Jesuit authors given in Busembaum, Gury, etc., I have been able to condense quotations to much narrower limits than at first intended; none can charge these accredited writers with having made false translations—the usual answer to criticisms upon Jesuit teachings. The additional reproach of ignorance of Jesuit Latin, if it is Latin, is taken as a compliment by every Latin scholar.

To the many friends who have aided me in this work, and to the many more who have offered their assistance, I tender my sincere acknowledgments. Amongst these, I must specially name the Rev. Principal MacVicar and the Rev. Professor Scrimger, of the Presbyterian Theological College, Montreal, who not only acted as arbitrators, but in other ways gave valuable assistance.

OTTAWA, Feb. 1890.

J. B. H.

## THE END JUSTIFIES THE MEANS.

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Cui concessus est finis, concessa etiam sunt media ad finem ordinata. (*Layman's Theologia Moralis*, 1625). Cum finis est licitus, etiam media sunt licita. (*Busembaum's Medulla*, Frank. 1653). Cui licitus est finis, etiam licent media. (id). Cui enim licet finis ei et media permissa sunt. (*Voit, Wursburg*, 1860).

Visum est nobis in Domino præter expressum votum, quo Societas summo Pontifici pro tempore existenti teneret, ac tria alia essentialia paupertatis, castitatis, et obedientiæ, nullas constitutiones, declarationes, vel ordinem ullum vivendi posse obligationem ad peccatum mortale vel veniale inducere. *Nisi superior ea in nomine Domini nostri Jesu Christi, vel in virtute sanctæ obedientiæ juberet*; quod in rebus, vel personis illis, in quibus judicabitur, quod ad particularem unius-cujusque, vel ad universale bonum multum conveniet, fieri poterit. (*Constitutiones So. Jesu, Rome, 1570, ch. 5, part VI. See translation p. 37*).

"Their doctrines destroy the law of nature; they break all the bonds of civil society, by authorizing theft, lying, perjury, the utmost licentiousness, murder, criminal passions, and all manner of sins; their doctrines root out all sentiments of humanity, overthrow all governments, excite rebellion, uproot the foundation of religion, and substitute all sorts of superstition, irreligion, blasphemy and idolatry. (*Act of Parliament of France, 1762, dissolving and banishing the Jesuit Society*).

My brethren, consider the dangers to which the church must be subject when it takes its teachings from the Jesuits, as their doctrines are in contradiction to history, to the fathers of the church, to the Word of God, to everything, in short, that is held most sacred by true Christians. (*Bishop Strossmayer, at the Ecumenical Council in Rome, 1869*).

Pope Clement XIV., in suppressing the Jesuits, in 1773, charged them with idolatrous ceremonies, scandalous maxims, contrary to good morals, producing dangerous seditions, tumults, discords, scandals, which weakened or entirely broke the bonds of Christian charity. For these and other reasons stated, he decreed the eternal suppression and annihilation of the 'Company of Jesus,' not to be rescinded in aftertime by any one or upon any grounds." (*Clement's brief, 1773*).

"Like lambs have we crept into power; like wolves have we used it; but like dogs shall we be driven out." (*Borgia, 3rd General of the Jesuits, 1565*.)

## PASSAGES

FROM APPROVED JESUIT AUTHORS SHOWING THAT THEY TEACH THE PRINCIPLE THAT "THE END JUSTIFIES THE MEANS," AS THAT MAXIM IS VULGARLY UNDERSTOOD, *i.e.* "THAT IT IS LAWFUL TO DO EVIL THAT GOOD MAY COME."

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### BUSEMBAUM.

The first author to be quoted is HERMANN BUSEMBAUM. His famous work, the *Medulla Theologiæ Moralis*, or Marrow of Moral Theology, was first published at Münster, Westphalia, in 1645, and has been reprinted more than two hundred times. It was issued recently under the authority of the Congregation de Propaganda Fide. The edition quoted from is that published simultaneously in two volumes at Paris, Leipsic, and Tournay, in 1876, and bears the double imprimatur of Fr. Dominicus Buttaoni, O.P.S.P.A.M., and of Joseph Canali Archiep. Colossen. Vicegerens. It also states on the title page that it is "according to the last edition of the Holy Congregation of the Propaganda." (*Juxta editionem ultimam S. Congregationis de Propaganda Fide*). All the quotations are made from the first volume.

Busenbaum states the maxim in the following terms: "WHEN THE END IS LAWFUL THE MEANS ALSO ARE LAWFUL." (*Cum finis est licitus, etiam media sunt licita*).

The paragraph in which it occurs is part of the discussion on the question as to the lawfulness of escape on the part of a prisoner, and reads as follows :—

(1) “ It is lawful also, at least in the court of conscience, as long as violence and injury are avoided, to deceive one’s jailers, *e.g.* by giving them food and drink so that they may be overcome with sleep, or by taking means to get them out of the way, also to break through fetters and prison walls, because when the end is lawful the means also are lawful. And although other prisoners should escape at the same time through the breaking of the wall, he will not be responsible for the harm, for he is only its accidental cause, since he does what he has a right to do. Nor does it matter that certain laws and magistrates severely punish such jail-breakers, for that is done either because they follow the contrary opinion, or on the assumption that violence is done to the jailers because that punishment has been enacted in the public interest.” (pp. 386-7). (1).\*

In one form or another this case is discussed by all the Jesuit and other Roman Catholic casuists, and substantially the same answer is given by them all. The means indicated : deliberate deception of the guards and jail-breaking by force, are such as are punishable by the laws of all countries, but they are regarded as justified by the end. The usual mode of rebutting the charge, as based on this citation, is to assert that the means are not necessarily evil. If they mean by this that it is not necessarily evil to give

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\* These figures at the end of the translations refer to the Latin text in the appendix.

meat and drink to another, or to make a hole through a wall, then it can only be characterized as an evasion of the point ; for the *other* in this case is a jailer who is being thereby tricked, and the wall is the wall of a prison which no one has a right to break through, except when duly authorized. If they mean that these things are still not evil under the circumstances, then all that can be said is, that under the influence of their system of casuistry they have developed peculiar ideas of right and wrong which the world's legislators have never adopted nor are likely to adopt in practice. It does not improve the matter in any way that the end proposed, viz., illegal escape from imprisonment, is itself of very doubtful propriety ; but that had been already justified in a preceding paragraph and is regarded as perfectly allowable whenever it can be successfully accomplished without personal violence, even when there is no doubt as to the justice of the sentence.

The same principle is a second time stated by Busembaum in almost the same terms ;—"To whom the end is lawful the means also are lawful." (*Cui licitus est finis, etiam licent media.* p. 610). The whole paragraph will be found in the appendix, (2) but, for reasons which will be at once obvious to the Latin scholar, cannot be given here, much less discussed. (2).

Far more frequently, however, the principle that the end justifies the means is taught indirectly, is implied without being stated. For the sake of certain ends, means which elsewhere are characterized as evil are declared to be permissible, or at least regarded as

venial, in other words so slightly sinful that they do not even need to be mentioned in confession. The following passages give some of the most striking of these. As far as possible, they have been grouped according to subjects.

#### BRIBERY.

(3). "It is lawful to purchase by a payment of money exemption from inquisition as to your faith, and often the great virtue of discretion consists in preserving one's life for the glory of God, and in concealing one's faith by lawful means." (p. 57). (3).

#### DISSIMULATION.

(4). "It is, however, a lawful method when there is cause, (*e.g.* to avoid a great danger, to obtain a victory, to elude enemies,) to make use of the robes and badges of infidels when they have any other use than that of manifesting their religion, such as the national dress which they would use if they were converted, *e.g.* the dress and badges of the Turks. This is true even if the dress be that of the clergy, so long as this is not specially for the purpose of professing their error, but is only the mark of more refined culture, such as the preacher's gown in Germany, or of a more exalted life, like the Bonze's robe in Japan. The same is to be said of the badges used by the Jews, *e.g.* the yellow ring on the cloak at Frankfort, etc.; because these badges are merely political and serve to distinguish one race of men from another, and are not strictly professions of faith. This opinion is probable."

“It is likewise lawful when a Catholic is passing through heretical countries and he is in grave danger of life for example, or property, (but not if it be merely to escape derision or annoyance, as Bec. has it), to dissemble his faith by eating meat on a fast day ; because the precept of the church does not bind under such a danger. Nor is this denying his faith, since the eating of meat has not been instituted as a profession of religion, and Catholics, even, who are bad and gluttonous, do it. But if from circumstances it should become a sign of profession, as if, *e.g.* out of hatred for the faith messmates should make a rule that he who is an enemy of the pontifical faith should eat meat, he would sin against the faith who should eat without protesting. It would be different if he protested.” (pp. 57-8). (4).

#### EQUIVOCATION AND MENTAL RESERVATION.

(5). “Is it lawful to make use of equivocation in an oath?”

Answer.—“There is no harm in swearing with equivocation when there is just cause, and the equivocation itself is lawful ; because where one has a right to conceal the truth and it is concealed without falsehood, there is nothing irreverent in such an oath. Even if it be done without just cause it will still not be perjury, when what one swears is true, in some sense of the words at least, or through a mental reservation. It will, however, be according to its nature a mortal sin against religion to use the oath for the purpose of deceiving another in an important matter, since there

is grave irreverence. This is the common opinion of the doctors. \* \* On this point see the 25th proposition condemned by Innocent XI. \* \* Hence—

“1. He is guilty of a grave sin who makes use of equivocation when he is not interrogated but swears of his own accord ; because then he is bound to use words in their ordinary sense, says Toletus, seeing there is no reason for equivocating.

“2. He also is guilty of a grave sin who makes use of equivocation when an oath is lawfully imposed, as by a judge or a superior in an important matter.

“3. But if he so swears in a trivial matter, jokingly and without disobedience or perceptible injury to another, it will be only a venial sin, according to the probable opinion of Sanchez, as opposed to some others, because he is merely lacking in discretion or judgment.

“4. It is lawful to make use of equivocation, if the oath is unlawfully imposed ; as *e.g.* if he who imposes the oath has no right to do so, such as an incompetent judge, or if he does not follow the proper procedure.

Likewise if it is imposed by means of force or violence, or threats, *e.g.* if a husband exacts an oath from his wife regarding a secret adultery, or if thieves demand a ransom under oath.

“5. One who has only sworn outwardly, without the intention of swearing, is not bound, unless, perhaps, for the sake of avoiding scandal ; since he has not really sworn but has only made sport. In the civil court, however, he can be compelled to keep it.” (pp. 122-3). (5).

This is a clear case of means, confessedly evil, being



justified by the end. Such equivocation is a grave sin, according to Busembaum himself, when there is no sufficient reason for it ; it is lawful when there is just cause. The case was, in fact, too flagrant to be let pass by Rome. Pope Innocent XI. condemned the following propositions, among others, in 1679 :—

“ 24. That to call God for witness to a trifling lie is not so great an irreverence that he should or can condemn a man for it.

“ 25. That it is lawful for cause to swear without any intention of swearing, whether the matter be trivial or grave.

“ 26. That if any one, either alone or before others, either when interrogated or of his own accord, either for the sake of sport or for any other cause, swears that he has not done a thing, when, in fact, he has done it, meaning in his own mind something else which he has not done, or some other way than that in which he did it, or with any other added fact, does not really lie, and is no perjurer.”

Surely the Jesuits ought not to complain at our condemning what the Pope has formally condemned, *ex cathedrâ*. The paragraphs, however, still continue to be printed, though with a note of warning.

“ Whether, and in what way, a criminal is bound to confess the truth.

“ Answer I.—If he is not interrogated lawfully, he is not bound to confess his crime, but can evade the judge’s question either by ambiguous words or even by denying it with some mental reservation, and in a good sense, so that there is no lie. \* \* Weigh care-

fully, however, propositions 26, 27 and 28 of those condemned by Innocent XI. \* \* The reason is that in that case the judge has no right to interrogate or to impose any obligation on the accused. So say Lessius, Layman and Bonacina. Hence—

“1. A criminal is not bound to confess his crime unless the judge is properly authorized ; (2) if he begins the trial of his own motion, without previous accusation, at least virtually ; (3) if partial proof has not preceded and no bad record or clear indication of crime exists. The reason is because in these cases the judge does not interrogate lawfully.

“2. Nor is he bound to confess, if he doubts whether the judge is interrogating him lawfully ; because he is not bound to obey, to his own great disadvantage, unless it is certain that the higher authority can command. So Lessius, Filliutius, Layman, Sanchez, Salmeron, Cardinal de Lugo, etc., against Sylvius, Bonacina and others.

“3. The judge is bound to make known to the accused the state of the case, what the evidence is, how the crime is proved, etc., so that it may be certain to the accused that he is lawfully interrogated ; because otherwise he will not be bound to answer, and so deprive himself of the honour, or other property he possesses in good faith.

“4. If the judge interrogates the accused, lawfully indeed, but only from a false assumption of guilt, *e.g.* as to whether he rushed out from such and such a house with a drawn sword, he can deny it, (as also may any witness), although it may be partially proved, if he

has so come out, not, however, from the commission of a crime but for some other reason ; because if the judge knew the truth he would be unable to interrogate him.

“Answer II.—Although the commoner and surer opinion is that of St. Thomas, that if the accused is lawfully interrogated by the judge, he is bound, in conscience, openly to speak the truth, yet that which, according to Sylvius, is taught by Sa and Lessius, is also probable that he is not bound to do so, at least on pain of mortal sin, in capital and more important cases, if there is any hope of escape, and no great danger to the State is feared. Compare Tanner and Cardinal de Lugo, who says that this opinion is highly probable and safe in practice. The reason is, (a) because human law does not commonly require it in case of so great danger, *e.g.* of death : (b) because it seems inhuman that he who cannot be convicted should be bound to furnish weapons against himself, whereby he may be put to death, or made to suffer grave punishment, as *e.g.* imprisonment for life ; (c) because so heroic a course cannot fairly be commanded.

“Observe, I say, (1) *in capital cases* ; because it is different when the question is one of ecclesiastical penalties, which are disciplinary. (2). *If there is hope of escape* ; because otherwise all motive for concealment ceases. Hence—

“1. In view of what has just been said, it is not always the duty of the confessor to urge the criminal to confess his crime.

“After sentence a criminal is not bound to confess a

crime which he wrongfully denied before ; because the trial being concluded there is no further obligation on the criminal. See Layman. Nay, it is probable he is not bound to do so before sentence either, although still before the judge, until he is interrogated again.

“ Answer III.—If any one, for the sake of avoiding sore torments, falsely attributes a crime to himself, for which he may be punished by death, it does not seem to be a mortal sin. So teach Angles, Sylvius, Lessius, Tanner, against Navarrus and others. The reason is because he has not lied wrongfully, since one is not bound to preserve life in such torments.” (pp. 383-4). (6).

#### HOMICIDE.

(7) “ Although it is not lawful to kill another for any insulting language, (*e.g.*, if a man of respectability is called a liar) since that can be easily repelled by other means, and generally is so, yet that it is lawful to do so, if an aggressor should try to strike or slap a very distinguished man in such a way that he could not otherwise avoid it, is taught by Diana, Lessius, Hurtadus and twelve others. \* \* This, however, seems dangerous in practice and has recently been condemned by Innocent XI., proposition 30.” \* \* (p. 176.) (7).

(8) “ It is not lawful to kill, if the injury is already inflicted, or if the aggressor has fled ; because that would not be self-defence but vengeance, as is taught by Toletus and Rodriguez : but Henriquez, Navarrus and Fern say if the injured party would suffer great

loss of honour unless he at once pursued the fugitive, he can pursue him and beat him as much as may be sufficient for vindicating his honour. Layman, Bonacina, Lessius, Filliutius, Cardenas, Lugo, etc. think this can hardly be done practically without vindictiveness, although speculatively it would seem to be probable. Yet Lugo, Molina, Lessius, etc. grant, with Diana, that it is lawful to kill a man with a dart or arrow, when fleeing, *e.g.* with a horse, because the aggression still continues. Moreover, although it may not be lawful to do so after he has reached a place of safety, if you cannot recover your property through the law you may go to the place where it is kept and seize it, and if forcible resistance is made, repel force with force."

"For the defence of life and limb it is lawful for a son, or an ecclesiastic, or a subject, to defend himself against his father, abbot, or sovereign, if need be, by killing them; unless, in the last case, great troubles, such as war, should arise from his death.

"It is lawful also to kill one of whom it is certain that he is plotting against your life, as if a wife *e.g.* knew that she would be killed in the night by her husband and could not escape, she might forestall him.

"Hence, also, some, as Sanchez and others, say that it is lawful to kill one who by false accusation or evidence before a judge, is taking such steps as will certainly lead to your being put to death, mutilated, or even (as others admit with some hesitation) deprived of your property, honour, etc., because this is not an aggression but only a just defence, provided you are

certain of the injury he intends, and there is no other way of escape. Lessius, Filliutius and Layman, however, dare not defend this owing to the risk of great abuses. \* \* As to the doctrine of this paragraph note propositions 17 and 18 of those denounced by Alexander VII." \* \* (pp. 177-8.) (8).

#### DEFAMATION OF CHARACTER.

(9) "Hence, also, if any one unjustly injures your good name, and you cannot protect it or recover it in any other way than by damaging his, it is lawful to do so, as far as is necessary for the preserving of your reputation, so long as you avoid falsehood, \* \* for that is forbidden by Innocent XI. in his 44th condemned proposition, \* \* and do not injure him more than you are injured, a due regard being had to your respective positions." (p. 295.) (9).

(10) "Question.—Is it lawful to defame another in order to avoid great sufferings?"

Answer.—"It is lawful if the charge is true; because no injustice is done to the other party, since you have the right to reveal that, in case of necessity." (p. 299.) (10).

(11) "You are excused from restoring another's good name,—

6. If you cannot do so without risk to life, or if the reputation to be restored is of less value than that of the detractor:—Thus; *e.g.* a prelate is not bound to restore that of a man of mean degree, if he cannot do so otherwise than by the loss of his own much more important reputation. In that case it is enough if he

praises the person whom he has disparaged, or gives him a money compensation." (p. 302.) (11).

#### SECRET COMPENSATION.

(12) "Nor again, does he steal who takes a just compensation, if he cannot otherwise obtain his due : *e.g.* if a servant cannot obtain his just wages, or he is wrongfully induced to work at an unfair wage. \* \* On this compensation read carefully prop. 37, of those condemned by Innocent XI." \* \* (p. 199.) (12).

(13) "If the son, *e.g.* of a merchant or an innkeeper is managing his father's business, he can demand from his father a salary as great as he would give to a stranger ; and if he cannot obtain it or dare not ask for it he may take it secretly. This is the opinion of Layman, and Diana, and is probable." (p. 203.) (13).

#### CO-OPERATION IN SIN.

(14) "Servants are excused from sin, if, on account of their place, they render certain services which they could not refuse without grave inconvenience, as *e.g.* if they dress their master, saddle his horse, accompany him to a brothel, carry presents to a mistress, open the door to her when she comes in ; because these things have only a remote connection with the sin, and the sin would be done without them. It does not, however, follow that it is lawful to render these services for any one else.

"For those acts which have a nearer relation to the sin, or assist in it, *e.g.* putting his shoulder under him, or carrying ladders for his master when going up

through a window to a concubine, carrying love-letters to his mistress, accompanying him to a duel, etc., the simple fact of his place is not enough ; there must be greater necessity and cause to make them lawful, *e.g.* danger of grave or at least appreciable loss if he refuses. \* \* This doctrine is now rejected on account of prop. 51., condemned by Innocent XI. \* \*

“Those things which are very closely related to the sin, or lead to it, or are opposed to justice, although from their own nature they are indifferent, *e.g.* giving a sword to one’s master to kill another, pointing out one whom he is seeking to kill, ringing the bell (although without scandal) for an heretical meeting, calling from the house a prostitute, though ready by previous appointment, and bringing her down to his master, holding a ladder for a thief, furnishing loans for waging an unjust war, selling an estate to a heretic owner, require a very grave cause, *i.e.* the fear of so very grave an evil that, according to the laws of charity, no one is bound to endure it for the sake of avoiding the evil of another, *e.g.* if otherwise he would be killed.

“In states in which it is permitted for the sake of avoiding a greater evil, it is lawful to let a house to a usurer (unless foreigner) and to prostitutes, especially if there are no other tenants to be had, unless the prostitutes seriously injure honest neighbours, or, on account of the situation, give greater opportunity for sin.” (pp. 87-8.) (14).

In every one of these cases the solution is based upon the principle that the end justifies the means. When the end is sufficiently important, it is lawful to



use means that under ordinary circumstances would be wrong. In face of these quotations, the fairness of which cannot be challenged unless they want the whole book cited, it is futile for the Jesuits or anybody else to deny that Busembaum used the principle in detail, as well as taught it in the abstract.

It will be observed that several of these passages cited contain clauses marked by asterisks, calling attention to the propositions condemned by Alexander VII. and Innocent XI. It is not stated by whom these are inserted. But certainly they did not form part of the original work; for it was published in 1645, and these propositions were condemned in 1665 and 1679 respectively. It is obvious that in a number of these instances the doctrines of the Jesuit father were not such as could obtain papal approval. The truth is that Busembaum and others went so far in the practical application of the principle that the end justifies the means, that the Pope had to intervene in order to save the credit of the church. According to their own principles, the Pope's condemnation was proof that these doctrines were taught, and ought, forever, to have put an end to such laxity. But the advantage which it gave them in popularizing the confessional in their hands was too great to be readily surrendered. An examination of any of their modern writers will show how little they have really given up.

#### SANCHEZ.

We give one extract from THOMAS SANCHEZ, a Spanish Jesuit (1551-1610), in order to show how far

some of the earlier writers actually went ; and yet is a fair sample of how entirely the Roman Catholic Church, in all their schools, teach doctrines at variance with the Scriptures, as Bishop Strossmayer declared at the Ecumenical Council in 1869. Sanchez is one of their most famous authors, and though his works are no longer used as text-books, he is frequently quoted as an authority by their most recent theologians. The extract relates to the subject of mental reservation, and justifies deliberate deception on oath, for the most trivial reason or without any reason at all.

(15) "Third rule. Words can also be used without lying, although from their meaning they are not ambiguous, and do not really admit the sense given to them, either of themselves or from attending circumstances, but yield the true sense only from something additional retained in the mind of the speaker, whatever that may be. So that if any one, either alone or before others, whether interrogated or of his own accord, for the sake of sport or for any other purpose, swears that he has not done a thing which he actually has done, meaning, in his own mind, something else which he has not done, or another day from that on which he did it, or with something else which makes it true, he does not lie, nor is he a perjurer. He would be merely uttering, not the special truth which the hearers understand and which the words of themselves express, but another truth different from it. This rule is not so certain as the two preceding ones, for the writers quoted in §12 deny it ; but it is adopted by Angelus, Sylvester and many others."

(Sanchez, *Opus Morale in Decalogum*, Vol. I., p. 283, ff. Viterbo edition, 1738-9.) (15).

As already intimated, this proposition was condemned by Pope Innocent XI., but, as will presently appear, the same thing is still taught, with this single difference, that the reason for the deception must be more pressing.

#### GURY.

Among modern Jesuit writers, the best known and most widely studied is JOHN PETER GURY, whose *Compendium Theologiæ Moralis* has been appointed in Roman Catholic seminaries in all lands as a standard manual of moral theology. It has been frequently reprinted, both at Rome and elsewhere, with the approbation of high ecclesiastical authorities. It was published in 1872 by the Congregation of the Propaganda. The companion work to this is his *Casus Conscientiæ*, which is equally approved. The following quotations are taken from the Lyons (Lugduni) editions of 1875, being the second of the former work and the fifth of the latter, each in two volumes. The *Compendium* is printed with the approbation of Carolus Archiepisc. Turonensis; the *Casus*, with that of Petrus Episc. Aniciensis. Both works bear the fac-simile signature of Father Gury as a proof of genuineness. With these have been compared later Lyons editions of 1885 and the Ratisbon editions of 1874 and 1865 respectively. The extracts show that whilst Gury, made cautious by criticisms upon the doctrines of the Jesuits, condemns the teaching of his predecessors, he usually ends by sanctioning the principle that the end

justifies the means, in the sense that it is lawful to do evil that good may come.

The principle itself is stated by Gury in the following terms: "WHERE THE END IS LAWFUL, THE MEANS ALSO ARE LAWFUL WHEN IN THEMSELVES INDIFFERENT." (*Ubi licitus est finis, etiam licita sunt media per se indifferentia.*) The limitation of the means to those "in themselves indifferent" may seem to be important, and certainly would be so if it were fairly respected. But he nowhere defines what such means are, and whatever definition he might give, they are here made to include jail-breaking, as appears from the context. The case is as follows:—

(16) "Palemon, having secretly committed a most grievous theft, is easily suspected to be the offender, on account of his bad antecedents. Consequently, being seized by the police, he is taken to jail. He tries to escape several times, but without success. On being questioned by the judge, he repeatedly denies his crime. He is sentenced to imprisonment for life. However, he does not stay long in his cell, for he makes a hole in the wall with tools furnished him by his friend Paul, and so escapes. Arrested anew, he defends himself by knocking down the policemen, tearing their clothes. Luckily, he escapes from their hands, and flies with all possible speed until he has crossed the frontier.

"Question.—Was he entitled to escape from prison, either before or after sentence, even by making a hole in the wall, or breaking the doors?

"Answer I.—It is allowed to a culprit to run away,

according to the common opinion" (does common opinion make it right?), "if he has not been sentenced yet; because no one is compelled to undergo a penalty before judgment." According to the doctrine of probabilism one could act upon any one of these opinions, even the least justifiable. The tendency in all these cases is to weaken the force of law and conscience. "Some say the same, if the guilty party has been sentenced to a very severe penalty, and is assigned to prison until that penalty is paid. (2) But for the most part they say no, if the imprisonment has been fixed by the judge's sentence, because a just sentence ought to be obeyed. Several, however, make exception, if the prison life is very hard, because it would be a heroic act to suffer a very severe penalty, when one can easily escape it. (3) When it is not unlawful for the guilty party to escape, he does not sin by breaking the doors or by making a hole through the walls; because where the end is lawful, the means also are lawful when in themselves indifferent. This is S. Liguori's probable opinion. It is, however, not lawful to bribe the jailer, because that would be co-operating in his sin." (Cases, Vol. II., pp. 7-8.) (16).

The answer to another question on this case is interesting, as showing how wrong-doing is belittled, even after being condemned, when it is the means to a desirable end. It is asked:—

(17) "Whether the culprit has sinned by defending himself against the policemen while escaping from their hands.

"Answer.—Palemon sinned by resisting the agents

of justice and tearing their clothes; because it is never permitted to resist authority. However, his sin might be excused, if he had escaped without resistance from the hands of the policemen. Even the act of knocking down a policeman, and other acts of that kind, for the purpose of escape, when so great a penalty is involved, should be looked upon as a trifle, and even as nothing. At least the sin is not a great one, if he has done them a slight harm to escape a great evil, in case the resistance was not serious." (17).

Notwithstanding the desperate character of this supposed criminal, it really looks as if the writer were more anxious to find an excuse for giving him absolution than to discover some way of leading him to a better life. Such a letting down of law does more credit to his heart than to his head, and, if it be defensible at all, is so only on the ground that the end, when supposed to be good, justifies almost any means that may be necessary to attain it.

The principle of the end justifying the means is also involved in the following passages:—

#### DISSIMULATION.

(18) "Question I.—Is it ever lawful to dissemble one's faith?

"Answer I.—It is never lawful to pretend to hold a false faith, because that would be equivalent to an open denial of the true, which is intrinsically evil, as is clear from Christ's words on this point.

"Answer II.—It is lawful for grave cause to dissemble or conceal the true faith, all danger of scandal

aside. The reason is because the command to confess the faith does not require it always. So S. Liguori and others generally.

“Question II.—When interrogated as to one’s faith may ambiguous words be used?

“Answer I.—No; when equivocation or silence amounts to denial, or shame, or cowardice, which in the circumstances necessarily detract from God’s honor or our neighbor’s good. For then the conditions explained under Prin. III. come in. This is confirmed by the constant practice of the Church and the common teaching of the Fathers. As regards interrogation by public authority, it is also clear from Prop. 18 by Innocent XI.: *That if any one is interrogated by public authority, he is advised frankly to confess the Faith as an act glorifying to God and the Faith; but silence is not condemned as sinful per se.*

“Answer II.—Yes; when no scandal is caused to those present, and there is no obvious denial of the Faith, or cowardice, or shame; because then there is no obligation to confess the Faith.

“Question III.—Is it lawful to wear the dress or badges of unbelievers?

“Answer I.—Yes; if these are the dress and badges of some country, although the country may be wholly an unbelieving one: because these have no necessary relation to religion.

“Answer II.—But if the dress and badges are religious, a distinction is to be made. I say yes, as the more probable opinion, when they are worn for grave cause, and the dress is not merely one used to distin-

guish sect from sect, because then its primary use is for covering the body, its distinction of sect merely secondary. It would be different, if the dress or badges are solely and primarily adopted as distinctive, such as the dress and ornaments used by priests in the exercise of their functions." (Compend., Vol. I., p. 206.) (18).

The two following cases will serve to bring out the true inwardness of some of these subtle, misleading distinctions, and show how they may be used to justify dissimulation in the interests of the church.

(19) "Mathurinus, a priest, monk, and missionary among heretics, in time of severe persecution is arrested, and when taken before the judge is asked whether he is a Catholic, whether he is a priest, whether he is a monk, whether he has celebrated mass in the country, whether he is acquainted with the laws of the country by which the profession of the Catholic religion is forbidden. To the first question Mathurinus answers yes, to the others, no, and so obtains his discharge.

"Question.—I. When is one obliged to make open profession of the Faith?

"Question.—II. Was Mathurinus absolutely obliged to confess himself a Catholic, and could he deny the rest and dissemble?

"Answer to I.—According to natural law one is absolutely obliged to profess the Faith, when the honour due to God or the good of one's neighbour would otherwise be neglected, or would suffer serious injury:" (according to Gury's teachings, in many



passages, there are no fixed principles or morals ; fixed truth and falsehood, are mere policies to be adopted or rejected, according to circumstances,) "*e.g.* if contempt for religion, or the perversion of the faithful, or scandal would follow.

"Answer to II.—(1) Mathurinus not only acted in a praiseworthy manner but was also absolutely bound to confess himself a Catholic, because we are bound to profess the Faith whenever the glory of God and of Christ demands it ; and in these circumstances the honour of God and of Christ would have been endangered by the denial or dissimulation of Mathurinus, because, as is plain, great honour would have been taken away from both. Therefore, etc. This is also clear from prop. 18, condemned by Innocent XI. (2) Mathurinus did not sin against the Faith in denying the rest, since there are many good Catholics who are not priests or monks, etc. These, therefore, which he denied are something accessory and relate only accidentally to the Faith. Moreover, he has already confessed the Faith, in owning himself a Catholic ; therefore unless he takes that back he cannot be thought to have denied it. Further, the object of his interrogators is not that of inquiring more fully as to the Catholic Faith, since they have already learned the truth from him, but only that of discovering the accidental qualities of a crime. Therefore Mathurinus, by a lawful, mental reservation could deny these other facts." (Cases, vol. I., pp. 84-5.) (19).

(20) "Edmund, a missionary among unbelievers,

during a fierce persecution against the Christians, allows the faithful to adopt names common among these unbelievers, in order to avoid the devices of their persecutors, and even to wear the national dress, although by a new edict of the sovereign, this has been appointed as the professed badge of a false religion. He, himself, moreover, in order to avoid detection, assumes the robes worn by the ministers of the false worship.

“Question.—I. Is it lawful to use the badges or dress of heretics in order to avoid persecution?

“Question.—II. Can a missionary, for the purpose of concealment, assume the robes of the ministers of a false worship, so as to appear one of them?

“Answer to I.—Yes, if the dress and badges are those belonging to the country, though the country may be wholly unbelieving. I would affirm this as the more probable opinion, though they are properly religious, provided they have not been appointed exclusively as the marks of a sect, as are the ornaments worn by priests in the discharge of their functions.

“Answer to II.—Yes, also in the sense of the distinction just given. For dress serves primarily to cover the body, and hence is not merely the badge of any sect.” (Cases, Vol. I., pp. 85-6.) (20).

(21) “Paternus, a Protestant clergyman, and in extreme peril of death, having come to believe the Catholic religion to be alone true, has requested a priest to be called in, but stipulates that he should come dressed as a layman to avert all suspicion of the convert’s being about to abjure heresy. To this priest Paternus

opens his mind, humbly asking baptism, but with two conditions attached: (1) that in the event of his succumbing to the illness, he be allowed to die, concealing the Catholic Faith and the baptism he had received: and (2) that, in the event of recovery, he be allowed to postpone his public profession until such time as this could be done free from any injury to his estate. To both conditions the priest assents readily.

“Question—I. Could Paternus be allowed the first condition, to die concealing his faith?

“Question.—II: Could he be allowed the second condition, to delay his confession to a more convenient opportunity, in case of recovery?

“Answer to I.—The first condition could nowise be granted, because he was bound to profess the true faith before his death, and to renounce the errors he had taught. In other words, as unfit, he could not be admitted to the grace of baptism, for each one of the faithful is bound to confess the faith, at whatever cost, when the honour of God or the salvation of one's neighbour demands it. But, in this case, both the honour of God and his neighbour's salvation demand from Paternus an outward profession of his faith, so as to root out the errors he had taught. Therefore, etc. If, however, after trying every method, he cannot be persuaded, as a last resort, he should be induced to declare, before several witnesses, that he professes the Catholic religion and wishes to die in it, or let him declare that he has entrusted an important secret to a Catholic priest, to be made known after his death. In this way he might, perhaps, discharge his obligation.

*A fortiori* this might be done if Paternus were not a clergyman but a heretic in private life. The confessor will act wisely, however, if he does not at once make known the whole obligation, but only the easier part of it at first, so that, when that is accepted, the penitent may be led to the greater.

"Answer to II.—The second may be granted for a pressing reason, because it is lawful to dissemble the true faith for a while because of great inconvenience that might follow from a public profession. He cannot be permitted, however, to exercise any functions expressive of heresy, *e.g.* discharging the office of a heretic pastor, either administering the sacraments according to the heretic rite, or preaching sermons to them; because in no case is it lawful to profess a false religion, or deny the true." (Cases, Vol. I., pp. 86-7.) (21).

It would never do to let a Protestant minister slip through their hands, and so the obligation is let down just as low as may be necessary to secure him. We have here the key to all those clandestine admissions into the Catholic church, which have so frequently shocked the more robust conscience of Protestant communities.

#### MENTAL RESERVATION.

(22) "It is never lawful to make use of a reservation purely or properly mental, nor of an ambiguity not humanly intelligible. *A fortiori* it is not lawful so to swear, because this is simply falsehood. This is settled also by Props. 26, 27 and 28 condemned by Innocent XI.

“It is lawful sometimes for just cause to make use of a reservation broadly, that is to say, improperly mental, and of equivocal words, when the sense intended by the speaker is capable of being understood, since that is not an evil in itself, one’s neighbour not being strictly speaking deceived, but only his deception permitted for just cause. Besides, the good of society demands that there should be a means to lawfully hide a secret. Now there is no other way than by equivocation or reservation broadly and improperly mental. I say, *for just cause*, for if the use of such reservations be allowed without due cause, no one could or would believe another—a state of things which would be fraught with the most injurious consequences to human society.

“It is lawful, moreover, to make use of this kind of reservation even on oath, although then there must be a greater reason for it, since the witness of God is not to be lightly invoked. Hence :

“A culprit, when interrogated in a non-judicial or unlawful way by a judge, may answer that he has committed no crime, meaning none that he can be questioned about, or none that he is bound to confess.

“This mode of reservation may be used by all public functionaries when questioned on things confided to their discretion, such as secretaries, ambassadors, generals, magistrates, lawyers, physicians, surgeons, midwives, and all those who have reason to hide some truth relative to their charge. Because, if the secrets confided to those persons were violated, grave inconvenience would result for society.

"A servant, when so instructed by his master, may deny that he is at home, though in fact he is so, because this phrase is generally taken to mean that he cannot be seen or visited. Observe, however, the custom of different places." *Compend.*, vol. I., p. 345-6). (22.)

Here, again, one of Gury's own cases is the best commentary on his meaning.

"Anna, guilty of adultery, when her suspicious husband questioned her, answered him at first that she had not broken her marriage vow. Then, having received absolution for her sin, she answered: I am innocent of such a crime. A third time, on being pressed by her husband, she absolutely denied the fault. I have not committed it, said she; meaning, adultery such as I am obliged to reveal; or, I have not committed an adultery that must be revealed to you.

"Question.—Must Anna be condemned?

"Answer.—In the three cases, Anna may be excused from any lie, because:—

"In the first case, she could say that she had not broken the marriage bond, it being yet existent.

"In the second case, she could call herself innocent of adultery, because, after having been to confession and having received absolution, her conscience is at rest, having the moral certainty that her sin was pardoned. She could even, according to S. Liguori, affirm it under oath.

"In the third case, she could deny her sin, according to the probable opinion, meaning, she had not committed it in such a way that she was obliged to reveal

it to her husband; as a culprit may say to a judge who does not question him legitimately: I have not committed any crime, meaning, in such a manner that he is bound to declare it. This is the opinion of S. Liguori, and of many others." (Cases, Vol. I., p. 183-4.) (23).

"This is a peculiarly gross case, and one hardly knows which to reprobate most, the thrice-repeated lie or the excuses that are made for it. Jesuit apologists defend Anna's course on the ground that her husband had no right to know the truth, and allege that, if the case had been reversed any husband would give similar answers to his wife. Family peace is here made more important than truthfulness: the preservation of the one justifies the violation of the other. The confessor, it seems, is the only one who is bound to know the whole truth—a convenient doctrine, truly, that plays at once into the hands of profligate spouses and of mother church.

Alongside this case of Anna is another that will be interesting to business men.

(24) "Theofride, having received an inheritance and hidden this property, out of which he is not bound to pay his creditors, answers that he has hidden nothing. Another time, having returned some money he had borrowed, being interrogated by the judge, he denies having received it. At a third time, questioned by an officer of customs if he was carrying goods liable to duty, he answered negatively.

"Question.—Must Theofride be condemned as a liar?

"Answer.—Theofride has not sinned against truth in the first case; because in reality he has hidden nothing, according to the sense of the questioner or the sense in which one could justly interrogate him. So by answering that he has hidden nothing, it is as if he had said, I have committed no injustice against my creditors, this being the only sense in which the judge and creditors can interrogate him.

"And he has not sinned in the second case, for the same reason; because he is only questioned on his debt, whether he has received the borrowed money, and has not returned it.

"Neither in the third case, at least according to the probable and common opinion, which looks upon customs laws affecting the transport of objects from one place to another as purely penal. So to say, I have nothing, is as if one was saying, I have nothing to declare of myself; it is your duty to look for it instead of questioning. But ecclesiastics are advised to be candid and tell the truth, to avoid the scandal that would arise, if it came to be known after their denial." (Cases, Vol. I., pp. 183-4.) (24).

#### DEFAMATION OF CHARACTER.

(25) "What are the causes which excuse from restoring the good name of another? The following are generally admitted: . . . (3) If the restoration cannot be made without risk of life, since life is of a higher order than reputation. Also if the restoration of the person slandered be of much less value than the injury which the slanderer would suffer by so doing,



*e.g.* if he were of high rank, and especially if he were serviceable to the public or to religion." (Compend., Vol. I., pp. 353-4.) (25).

It is not hard to see how this doctrine justifies the policy of slander that has been so systematically pursued by the Jesuits from the beginning, in the interests of the church and of their own order. What comparison can there be between the reputation of a Jesuit priest and that of a heretic! The following case shows how defamation may be brought within the reach of humbler people:—

(26) "Sylvia, a servant, leaves her master, an honourable man, and learns that Veronica, an honest girl, has entered his service. She tries by all means to induce her to leave him, affirming that he is a hard and fussy master. As she is not believed by Veronica, she adds that he is an immoral man, very dangerous to the virtue of his servants.

"Question.—Did Sylvia sin by defaming her master?

"Answer.—Not at all; because defamation includes an unjust reviling of another. Now, Sylvia's defamation was not unjust, having been done for a grave and just motive, for the good of her soul or the salvation of Veronica." (Cases, Vol. I., pp. 187-8.) (26).

It would be difficult to imagine a clearer case of the doctrine, that the end justifies the means.

#### SECRET COMPENSATION, COMMONLY CALLED THEFT.

(27) "Secret compensation may be just and permissible, if it presents the required conditions"

The conditions are too long to be given here in full, and they will be better illustrated by the following questions.

“Can servants, thinking that they are not paid enough, have recourse to secret compensation?”

“Answer.—No; at least generally speaking. This is the common opinion, and may be established on the following grounds: (1) From Prop. 37, condemned by Innocent XI.: *That servants, whether male or female, can secretly abstract from their employers payment for their services, when they consider these of more value than the wages they receive.* (2) From reason. For they would be acting contrary to their agreement when they consented to the lower price, and nothing is due but what is agreed on. Besides, if this were allowable, the way would be open for numberless thefts, for servants would easily persuade themselves that their wages were too low, and there would be no security for employers. The same is to be said for like reasons, of all workmen, tradesmen and merchants, who may wish to have recourse to self-compensation on the pretext of the price being too low at which they have engaged their services or sold their wares.

“I say, *generally speaking*; for not a few writers except the following: (1) If a servant is compelled by force or intimidation to agree to an unfair wage. (2) If he agrees to it, driven to necessity, only, however, in cases where his employer could not fairly have obtained others at the same price, or did not take him

out of compassion, (3) If undue work be laid upon him against his will.

“Is it a grave sin and against justice, to compensate one’s self, without first having recourse to the judge ?

“Answer I.—No; not against justice, *per se*, provided one takes nothing more than what is due; and so one is not under obligation to make restitution. The reason is, that, after this compensation, equality is established. I have said, *per se*; because sometimes an injury might result to the debtor from the loss of some certain article, *e.g.*, a horse, or some other valuable object.

“Answer II.—In general there is no grave sin; because no scandal results from it ordinarily, nor any grave disorder for the state.

“Answer III.—There is no sin, if it is difficult to have recourse to the judge, if there is danger of scandal, or extraordinary expenses, etc., because then the recourse is morally impossible.” (Compend., Vol. I., pp. 423-5.) (27).

(28) “One night Tytirus’ donkey is carried away by a thief; but he escapes into the neighbouring fields and there causes certain damage. For this Tytirus is punished; but, filled with indignation, he compensates himself for it.

“Question.—Ought Tytirus to have accepted the sentence; or had he a right to compensate himself in this case?

“Answer.—In this case the presumption of the judge is false, Tytirus having committed no fault, not even judicial. He could not be punished for his lack of

diligence, because he was not able to prevent the damage, which can in no way be imputed to him. If he was condemned on presumption of neglect, which he has not committed and could not commit, the judgment is false and materially unjust. Therefore, as far as Tytirus is concerned, the matter was beyond his control and he must be absolved. There is no wrong doing on his part, and he has the right to take compensation." (Cases, Vol. I., pp. 46-7.) (28).

(29) "Marcus, a servant, attending to the work of his charge, breaks, unintentionally, a crystal vase. His master, provoked, retains from his wages the value of the vase. Marcus indemnifies himself secretly.

"Question.—Could Marcus thus make up secretly for the reduction on his wages ?

"Answer.—He is not to be condemned if he has had recourse to secret compensation to indemnify himself, in the case of the involuntary breaking of the vase without committing any theological fault ; because no one is obliged to repair an involuntary misfortune, except in the civil court, after the judge's sentence, as we shall see later about unjust condemnation. Therefore, the master has no right to exact reparation, and the servant is warranted in taking back what he was not obliged to pay ; for Marcus could only be obliged by his conscience or by a judgment. Now, there is no judicial obligation in this hypothesis, there having been no judgment, nor any obligation of conscience, for one is obliged in consequence to make restitution only when the fault has been committed with guilty intention." (Cases, Vol. I., pp. 249-50.) (29).

The end is here made to justify means for which the law would very properly send Tytirus and Marcus to the penitentiary. No civilized government could afford to allow every man to become a court of appeal in his own case, and practically carry out his own judgments in this fashion. This is the advice supposed to be given by a Christian minister to a member of his flock. One is tempted to wonder whether the good father had ever heard of the Sermon on the Mount or of the Eighth Commandment.

#### FORGERY.

(30) "What are we to think of those who make up or alter deeds, notes, or receipts to replace lost documents or to protect their just right?"

"Answer I.—There is at least a venial sin of lying, because the document, whatever it may be, is different from that which is valid in law.

"Answer II.—One is occasionally liable to sin grievously against charity toward oneself by running in danger of suffering a very severe punishment *if forgery was detected*.

"Answer III.—One sins by no means against commutative justice, and consequently is not compelled to make any restitution." (Compend., vol. II., p. 14.) (30).

As is very frequently true with Gury, the case best illustrative of this only makes the matter worse, for it is that of a will made in favour of one out of the natural succession, where the original written document constitutes the only ground of his right.

(31) "Chrysanthus on his deathbed hands to Adrian a holograph will in his favour. After the death of Chrysanthus, the happy Adrian reads over the will with delight, then places it on a table, while he goes to blow the fire. Unluckily the door opens in some way, and the draught throws the sheet of paper in the fire. Adrian hastens and endeavours to save it from the flames, but without success. It is entirely consumed. Adrian would have fallen into despair but for a clever thought which came into his head. He imitates perfectly the dead man's handwriting and signature, and thereby reconstructs the will.

"Question I.—Did Adrian sin, and how, by forging the will?

"Question II.—Is he bound, in justice, to make restitution to the natural heirs?

"Answer to 1st question.—(1.) Adrian cannot be excused from a sin against truth, because he asserts that the existing document is the original will, and that it is signed by the testator, which is untrue. For the same reason, anyone would sin against truth who should make use of such a document concocted by another. Compare Lacroix and others against several who deny that this is contrary to truth, inasmuch as in supplying a lost document he does not intend to deceive but only to secure his own. In any case, the falsehood is not more than a venial sin *per se*.

"(2.) Adrian is not *per se* to be excused from a grave sin against charity towards himself, since he exposed himself to the risk of a very severe penalty as a forger." (Adrian's only thought here, according to Gury, should

be, whether he would be punished for forgery.) "An exception may be made if he did not think of that danger.

"(3.) He can hardly be excused from a mortal sin against legal justice, which prohibits all forgery under the severest penalties, because, although it injures no one, this is declared unlawful, and is rigidly prohibited, so as to avoid occasion of frauds. Some, however, hold that this is not a mortal sin. (See Lacroix.)

"Answer to 2nd question.—No; as, having been appointed legitimate heir through a valid will, he therefore, immediately after the death of the testator, evidently acquired a certain and strict right to the inheritance. Now, this right, once acquired, cannot be lost by the destruction of the deed. but only by a voluntary assignment, or a legal transfer of ownership. Consequently Adrian has not lost his right. Is the right in itself, or the strict right, burnt and reduced to ashes, like the paper title which is the proof of it? Not at all.

"Now, if Adrian has a strict right to the inheritance, he cannot be acting unjustly by using such means, although they may be unlawful, in order to secure his rights, and he does not wrong the other relatives, if by *any device* he can prevent them from inheriting, as they have no right to it." (This teaches that forgery is right.)

"It may be objected that the natural heirs are hindered by this fraud from having recourse to the courts, since, apart from this pretended title, Adrian would have been dispossessed of the inheritance by a

judicial sentence. By it they are hindered from appealing to the courts, and so are injured in their rights.

“Answer.—A distinction must be made. I grant they are injured in their supposed right, but not in their true and strict right. For though they have a right to make Adrian prove his claim, not being bound to take his word for it, this arises only from their honest belief in their own claim or from error. Though they would be acting justly as to the form, in reality they would be wrong in appealing to the courts. If any of them had actually seen the genuine will before it was destroyed, would he have been able afterward to impugn it with a good conscience?” (That is, the forgery might be too skilfully done to be detected.) “Hence the difference between this case and the preceding ones. In this Adrian has a certain right from a valid will; but in the other the legatees had only a probable right from an informal will, and destroyed the probable right of the other heirs by fraud.” (Cases, Vol. I., pp. 363-4.) (31).

To all intents and purposes forgery is here justified as a means of obtaining what one believes to be his just rights. About the only sin in the whole business is the danger of being found out and sent to the penitentiary.

#### CO-OPERATION.

(32) “Question I.—Can a servant, through fear of death or mutilation, put his shoulder under his master when entering a window for immoral purposes?



"Answer.—Yes; according to the more probable opinion, since he does not perform an act intrinsically bad. So Liguori. But he is bound to leave his master's employment afterwards, if he has reason to fear anything of this kind again. The same solution holds in all similar cases.

"Question II.—Can a servant open the door of the house to a prostitute?

"Answer.—Most writers say yes, only if there is any one else who would open it, if he did not." (Would one be justified in doing a wrong because some one else might do it?). "This circumstance makes the co-operation sufficiently remote.

"Several, however, contend that it is never lawful to open the door to a prostitute, and base their view on Prop. 51, condemned by Innocent XI. (even the Pope's decisions are evaded or explained away): *That a servant who, by yielding his shoulders, knowingly aids his master to enter a window for immoral purposes, and serves his ends repeatedly by carrying a ladder, opening the door, or the like, does not sin mortally, if he does it from fear of serious injury, e.g., that of being maltreated by his master, regarded with displeasure, or dismissed from his employment.* But these words, *opening the door*, must clearly be understood of opening the door of some one else's house by force, as appears from the context. Besides, this proposition is deserving of condemnation, because it permits co-operation even for a very slight reason, namely, lest the servant should be regarded with displeasure.

"In cities where, for the sake of avoiding a greater

evil, money-lenders and prostitutes are allowed to live, it is lawful to let houses to them, if other tenants are not to be had, or if it is easy for them to obtain other houses (!); unless, however, the prostitutes should greatly annoy honest neighbours, or on account of the situation of the house greater opportunity should be afforded for sin.

“Question III.—Can a servant, by reason of his place, saddle his master’s horse when going out for an immoral purpose, or accompany him?

“Answer.—It does not appear to be unlawful, if he only saddles his horse, because then he hardly co-operates in the sin any more than by opening the door to a prostitute. But unless threatened with serious injury, it would not be right for him to accompany his master where the sin is to be perpetrated, because this is a more intimate co-operation.

“It is not lawful, moreover, for a servant to accompany his master, if his eagerness thereby is increased, as S. Liguori says. But a servant is to be excused when he is not certain of his master’s evil purpose.

“Question IV.—Is it lawful for a servant to carry presents to a prostitute?

“Answer.—No; at least not without grave cause; for as these presents are apt to stimulate lust, the co-operation is very close. So writers generally. S. Liguori in fact considers this intrinsically evil, because it necessarily increases the passion. But the contrary opinion of Viva and others is more probable. (Probabilism comes in everywhere.)

“Question V.—Can a servant carry his master’s love-letters to a concubine?

“Answer.—No; not without very grave reasons. According to S. Liguori it is never lawful, even for the greatest reason, because, as he says, it is intrinsically evil. But Vogler and others hold the opposite. Anyway a servant is not bound to ask what may be in the letters.

“What is here said with regard to servants applies also to other inferiors or dependents, *e.g.*, to children, wives, etc.” (Compend, Vol. I., pp. 238-9.) (32).

The answer to the second of these questions is interesting as showing the skill with which many Jesuit writers manage to dodge even the papal thunderbolts. By means of some subtle distinction, such as the Pope in his simplicity probably never dreamed of, they preserve as much freedom as they want, while appearing to bow most respectfully to his authority. It is not much to be wondered at that they should be even less scrupulous in repelling the charges brought against them with much greater directness by Jansenist and Protestant writers. Presuming upon the ignorance of the public, they boldly deny them, and with well-simulated indignation demand proofs from their accredited writers.

For one of these charges the proofs are here given at length. The authors cannot be repudiated, and we believe that any unprejudiced reader who carefully examines these passage will be forced to come to the conclusion, as we have, that the Jesuits hold, teach, and therefore may also practise, the maxim

that the end justifies the means, in the sense that it is lawful to do evil that good may come.

It is true they do not formally lay down the maxim in the philosophical portion of their writings as a recognized principle of ethics. They are too wary for that. Nor when they have been attacked have any of their apologists defended the principle or been willing to confess that they held it. On the contrary, they always repudiate it with indignation.

It is true also that in their writings there are many passages which teach the very opposite of what is thus imputed to these authors. Such passages are especially abundant in Gury, and are emphasized as if he felt the necessity of furnishing material to rebut this very charge. More than once he says plainly and decidedly : "*Evil is never to be done that good may come.*" But consistency is not one of his virtues, and he shows great deftness in evading the spirit of his own principles. Compare, for instance, the two following passages, which occur within twenty pages of each other.

"It is never lawful to perpetrate evil, however slight, to obtain any good whatever, for according to the common maxim taken from the Apostle's words (Rom. III., 8), *evil is never to be done that good may come.* Thus it is not lawful to lie, even to save a man's life." (Gury, Compend., vol. I., p. 99.) (33).

"If anyone lies to deliver his neighbour from deadly peril, thinking he is bound to do so out of charity, he does a good act ; and if he does not tell

the lie, he sins against charity." (Compend., vol. I., p. 120.) (34).

Or take the following case, which shews that these evasions are not mere slips.

"Monica, an innkeeper's wife . . . in order to prevent quarrels and blasphemies, to which her husband is prone, is in the habit of fibbing to him. Experience has shown her that this is quite necessary to keep peace in the household.

"Question.—Can we approve of this method of keeping her husband civil?

"Answer.—No. For a lie can never be lawful, not even to obtain a great benefit, since *evil must not be done that good may come*. And a lie is something intrinsically evil from its very nature, although it may be only a venial sin. But, although Monica must abstain carefully from lying, she is not obliged to tell the whole truth to her irascible husband." (Gury, Cases, Vol. I., pp 11–12.) (35).

It is just this letting down of the law of right and wrong in detail, that forms the gravamen of the charge against the Jesuits. With great virtuousness they lay down rigorous principles, and then proceed to explain them away in dealing with actual cases, by adding one extenuating circumstance after another, or admitting one exception after another, until the whole character of the principle is changed, and the laxity desired is obtained.

It may be said that the quotations given do not imply that the principle is held as one of universal application, or, in other words, that the end *always*

justifies the means. But no one in his senses ever accused them of teaching that. What they do teach is, that the end *often* justifies the means. These quotations fairly interpreted, teach that jail-breaking, bribery, equivocation, mental reservation, even on oath, stealing, defamation, slander, assumption of a false character, murder, homicide, co-operation, forgery, fraud, and other like things, may be lawfully resorted to, *whenever the personal advantage or necessity is great enough*, or, in other words, whenever the temptation is strong enough. As practically everyone must judge for himself when the reason is sufficient, this is about all the liberty anyone wants who cares to preserve his respectability, and there is little room for the further extension of the principle. If they had confined it to those well-recognized cases in which, from their necessary publicity, there is some guarantee against the abuse of it, such as is found in war, or in the administration of justice by public officials, the world would never have heard anything of this immoral principle of the Jesuits. But when they practically brought the use of it within the reach of every private individual whose conscience was elastic enough to employ it, and under the teaching of probabilism, every honest thinker saw that there was danger. As their most recent writings show that they have not repudiated the principle in detail, whatever they may do in general, that danger still continues wherever they are allowed to teach. And it is largely because of this that, whenever public sentiment fairly seizes the real character of their teaching, it everywhere refuses to

tolerate it. Hence their frequent expulsions from so many countries even in recent times.

They are in the habit of claiming that the treatment they have received, and the suspicion with which they are regarded, are wholly unwarranted by anything in their teaching, which is simply that of the Roman Catholic church in general. If this be true of that whole church, the charge would be a still more serious one. It is true that they have succeeded very largely in imposing their views on the Roman Catholic church, notwithstanding much open opposition and much more inward dislike. But it is also true that these views have never yet been heartily accepted by the great mass of the more moderate clergy and people, however it may be in the future. And the world still continues rightly to see in the Jesuits the great champions of principles, which, morally as well as politically, are calculated to undermine the foundations of the social fabric, if carried to their legitimate conclusions. They may make friends for a time by artfully concealing the worst of these principles, but sooner or later they are found out, and, notwithstanding the high standard of personal character which they generally manage to preserve, are treated as the social criminals they really are.

#### PROBABILISM.

In order to estimate aright the amount of laxity allowed by the teaching of Gury and other modern Jesuit writers, one has to take into account also their doctrine of probabilism. It will have been noticed

that they frequently quote the opinions of other authors. Some of these they approve fully; others they approve, only with some reserve, as probable. These last are always more or less lax, and should be avoided. But, according to them, even a probable opinion may be acted upon with a good conscience by anybody who chooses to adopt it, and a confessor is bound to absolve a penitent who claims to have acted upon such an opinion, though he may believe it wrong. This is clear from the following passage in Gury.

“Question.—Can or ought a Confessor absolve a penitent who wishes to follow an opinion, probable indeed, but contrary to what he himself holds?

“Answer.—Yes, if the penitent holds an opinion really probable with full conviction, because he has the right to follow a really probable opinion, nor has any confessor the right to impose his own opinions on him, even if they seem to him to be more probable, for the confessor is not a judge of the opinions which the penitent is bound to follow, but only of his spiritual state, as is plain from the Canons of Trent, Session XIV., Chap. 5. This is the opinion of S. Liguori and others generally.” (Gury, Compend., vol. I., p. 140.) (36).

So that it is the wider circle of liberty instead of the narrower that is practically granted to each individual. He has only to plead that certain authors believe this or that means allowable, even though others may deny it, and he can claim full absolution for using it. For him the end may justify all the



means that have ever been regarded as allowable by the laxest school of Jesuit writers, except such as have been formally condemned by the Papal See. How much that means is apparent from the quotations that have been given.

The charge which is here brought against the Jesuits, and which they repel with admirably simulated indignation, namely, that "the end justifies the means," that evil may be done with a good object, is not founded merely upon the writings of their theologians, the maxim itself is embodied in a paragraph of the charter of the Society, the constitutions themselves, sanctioned by the Pope. It is here cited textually in the original Latin, also translated, from the "*Constitutiones Societatis Jesu*," dated Rome. 1570, 5th ch., 6th part. The principle is here recognized and enforced with the authority, unbounded over the Society, of the constitution, the General of the Order (who stands to the members in the place of God), and of the Pope. The doctrine is there laid down, that in certain circumstances it is not only right, but the bounden duty of every member of the order, to do evil, knowing it to be such, in order that good (purely imaginary good) may come.

"PART VI.—That the Constitutions involve no obligation to commit sin.

"CHAP. V.—Although the Society desires all its Constitutions, Declarations, and Order of Life to be observed according to our Institute, in no wise deviating in any matter, it is, nevertheless, fitting that all its members should be secured, or at least aided, against

falling into the snare of any sin, which may arise from the force of its constitutions or injunctions. It seems good to us in the Lord that, excepting the express vow whereby the Society is bound to the Supreme Pontiff for the time being, and the three other essential vows of poverty, chastity, and obedience, no constitutions, declarations, or any order of living, can involve obligation to sin, mortal or venial, *unless the Superior command them* in the name of our Lord Jesus Christ, or in virtue of holy obedience ; which shall be done in those cases or persons wherein it shall be judged that it may be done, *in order to contribute greatly to the particular good of each singly, or that of all*; and instead of the fear of offence, let the love and desire of all perfection prevail, that the greater glory and praise of Christ, our Creator and Lord, may follow." (37).

Here, then, is the principle explicitly laid down, that when the Superior is of opinion that a sinful act may prove advantageous, then the Jesuit who is commanded to commit it must do so. But those who are unacquainted with the Jesuit system may naturally ask : " Has he not the option of refusal ? " To that question the Constitutions themselves supply a complete answer. First, candidates who do not appear likely to be obedient, who do not subject their own opinions and judgment, are to be dismissed, in accordance with Part II., Chapter 2, of the Constitutions. Next, the twenty-third and fourth rules for the training of probationers run thus :

" It is especially conducive to improvement, and very necessary, that all should yield themselves up to

perfect obedience, recognising the Superior (whoever he may be) as in the place of Christ our Lord, and regarding him with inward reverence and affection, not merely obeying him in the outward execution of his injunctions fully, promptly, vigorously, and with fitting humility, without excuses and murmurings, though he may command things difficult and repugnant to their feelings ; but shall also strive to have inwardly resignation of their own will and judgment, and they are to accustom themselves, not to consider who it is whom they obey, but rather Him for Whom and to Whom they obey in all things, which is Christ the Lord." (Const. III., 1.)

Thirdly, the explanation of the scope and force of the vow of obedience contains the following clause, in perfect accordance with the whole context :

" And let each be persuaded that they who live under obedience ought to suffer themselves to be moved and guided by Divine Providence through their Superiors, as if they were a dead body, which allows itself to be moved any whither and handled anyhow ; or as the staff of an old man, which serves him who holds it in his hand, wherever and for whatever purpose he chooses to employ it." (Const. VI., 1.)

And as a process most skilfully contrived for breaking down and subjugating the will is brought unremittingly to bear upon the probationer during his protracted noviciate, it may be readily understood that there is no probability of disobedience to any command of a Superior, whatever be its moral character.

Father Drummond, of Winnipeg, has called in question the correctness of Dr. Littledale's translation of the above quotations from the Jesuit constitutions. Without entering into the discussion between these gentlemen, I may appropriately reproduce here some of Dr. Littledale's expressions in his reply to Father Drummond, and leave the reader to judge as to the knowledge of the Latin of the one trained in the classics of the best ages of Roman literature, and of the other in the jumble of words—the Jesuit Latin—which is not and never was the language of any people. Father Drummond also charges Dr. Littledale with being guilty of "Deliberate mistranslations or falsification of the Latin," and of "being skilfully disingenuous." Here, too, we must leave the reader to judge between the Jesuit and the English divine.

"I adhere," says Dr. Littledale, "to the correctness of my translation." "Which alone agrees with the Latin idiom." "The hopeless untenability of Father Drummond's gloss." "Sheer nonsense, and I need not waste my time over it." The doctrine taught in the constitutions "I allege is definitely to be found in the writings of such well-known Jesuit authors as Busembaum, Wagemann and Gury; and that it has been so persistently acted on by the Society as to earn their expulsion from several [all] states of Europe, as dangerous to society."

#### CLEMENT'S BRIEF OF SUPPRESSION.

A few clauses from the brief of Clement XIV. for the suppression of the Jesuits may be fitly cited here

in conclusion. The Pope first cites a number of precedents for the suppression of religious societies which had ceased to edify, and after saying that he "has omitted no care, no pains, to arrive at a thorough knowledge of the origin, progress and actual condition of the company commonly called the Company of Jesus," goes on to charge them with practising "idolatrous ceremonies," with employing maxims "which the Holy See has with reason proscribed as scandalous and manifestly contrary to good morals," while the results of these maxims as put into practice are declared to have been "dangerous seditions, tumults, discords, dissension, scandals, which, weakening or entirely breaking the bonds of Christian charity, excited the faithful to all the rage of party hatreds and enmities," so that the Kings of France, Spain, Portugal and Sicily found themselves reduced to the necessity of expelling and driving from their states, kingdoms and provinces these very Companions of Jesus, persuaded that there remained no other remedy to such great evils, and that this step was necessary in order to prevent Christians from rising against one another and from massacring each other in the very bosom of our common Mother, the Holy Church.

For these and other reasons stated in the brief, it is declared to be designed not for any mere temporary suspension of the society, but for its eternal suppression and annihilation, not to be rescinded in aftertime by any one or upon any grounds.

## BISHOP STROSSMAYER'S INDICTMENT.

We cannot close these quotations better than by giving the burning words of the great Strossmayer, bishop of Bosnia and Servia, addressed to the 767 cardinals, patriarchs, archbishops and bishops, titular and real, who composed the Ecumenical council at Rome in 1869. The *Civiltà Cattolica*, the Papal organ, edited by the Jesuits, had published 2nd Oct., two months before the council was to meet (9th Dec., 1869), "that the bishops had not been summoned to Rome in order to discuss, but in order to approve of all the propositions which would be made in the name of the Pope."

"Consider well," my honourable brethren," Bishop Strossmayer exclaimed to the assembled prelates, "the situation in which these men (the Jesuits) stand. It is they who initiate and determine all the proceedings of the council. Consider the danger to which the church must be subject when it takes its teaching from the Jesuits, as their *doctrines are in contradiction to history, to the Fathers of the Church, to the word of God, to everything, in short, that is held most sacred by true Christians.*"

"The end justifies the means."

This is one of those condensed forms of expression which take possession of the English ear. "The end sought to be attained justifies or sanctifies the means necessary or chosen for the accomplishment of the destined purpose." Some of the chief Jesuit Latin phrases are :

“Cum finis est licitus, etiam media sunt licita.”  
(Busembaum’s medulla, Frank., 1653.)

“Cui licitus est finis, etiam licent media.” (Idem).

“Cui concessus est finis, concessa etiam sunt media ad finem ordinata.” (Layman’s Theologia moralis, Munich, 1625.)

“Cui enim licet finis, ei et media permissa sunt.”  
(Voit, Wursburg, 1860.)

When we render into English the Jesuit Latin, we are usually met with the objection that the words have another meaning, which at once suggests to us the dicta of these fathers:—

“It is allowable to make use of words of double meaning.” (De Cardinas.) “Thou canst take refuge in dissimulation in such cases” (as those named, no matter what) “without being guilty of the least transgression.” (The much admired Father Castropalos.) “To this view of mine,” he adds, “our most learned theologians agree.” “One asks whether it is allowable to take an equivocative oath, a secret mental reservation being kept concealed. I answer, yes, only the chief thing is that the answer must be so framed that another interpretation may be given it, if found necessary!” (The greatly admired Filliutius.)

#### JESUIT LATIN.

Jesuit Latin is not the Latin of Crispus Sallustius, Titus Livius, Cornelius Tacitus, or Marcus Tullius Cicero. It is not even a dialect of the Latin, like the dialects of the English in the outlying counties of the kingdom ; or of the French in the arrondissements of

that republic or in the parishes of Quebec ; it is not even a cognate language of the Latin, as the Portuguese is of Spanish, or the Chaldee was of the Hebrew. It is merely a concatenation of phrases put together by rule. The Latin language is not the vernacular tongue of the Jesuits : it is a dead language. We have specimens similar to the Jesuit Latin every day from those who think in one tongue and try to express themselves in another. The pupils in the Jesuit schools are trained too much, if not chiefly, in Jesuit Latin instead of in the grand old classic literature of that language, and taught many words and phrases which, like "media" in the sentences given above, are not classical Latin.

#### THE JESUITS AND THEIR MORALITY.

The case against the Jesuits, says Dr. Littledale, differs in one most important and significant particular from the whole of the controversy directed against other parts of the Roman Church, whether doctrinal or practical. In every other case the accusations and strictures are formulated by non-Roman Catholics, with perhaps some occasional help from disaffected papists, who may therefore be not unreasonably excepted against as more or less prejudiced and unfair witnesses ; while either the facts on which the charges are based, or the conclusions drawn from those facts, are strenuously denied by the whole remaining body of the church.

But in the case of the Jesuits all this is fundamentally different. Their chief accusers are not Protes-



tants, but Roman Catholics, and they, moreover, no mere disaffected members of the Roman Church, but whole nations of that faith, and even a Pope himself.

When, therefore, we find that they have been pronounced dangerous and even noxious to society and morals, have been expelled by every nation professing their religion on these precise grounds, and finally suppressed on the same grounds by a Papal Brief, we are compelled to believe that the evil is one which is inherent and essential in the very nature of the Jesuit Institute, and not capable of being cured, or so much as abated, by any conceivable reforms within the Society itself, short of a complete abandonment of the laws which have hitherto governed its being.

#### LAYMAN'S NOTORIOUS PASSAGE.

The maxim that the end justifies the means occurs variously worded, but with identical meaning, in several Jesuit authors of repute.

It was first used by Layman in his *Theologia Moralis*, and runs:—"Cui concessus est finis, concessa etiam sunt media ad finem ordinata,"—that is, "To whomso an end is permitted are permitted also the means appointed for that end." *Fini subordinata* is the reading in the Munich edition of 1625, published by Layman himself.

#### EXAMPLES OF JESUIT TEACHING.

Some examples of Jesuit teaching on truthfulness may be usefully given. In the "Opus Morale in

Praecepta Decalogi" of Thomas Sanchez (Antwerp, 1624), there is a long discussion on the nature and obligation of oaths, and on the use of equivocation, which Sauchez reduces to a set of rules for the guidance of his readers. The first of these rules is: "It is not a lie to use ambiguous words, which the swearer employs in one sense and the hearers, with him to whom the oath is made, understand in another, *even if there be no just cause.*" "The second rule is that it is not a lie to use perfectly unambiguous words with a meaning misunderstood by the hearer, if there be some attending circumstances qualifying them, which the hearer, if especially on the alert, might have noticed or taken into account." One of the illustrations given is that of swearing that you have not seen a certain person, meaning thereby not to deny having ever seen him, but only the having seen him recently or in connection with the matter then in hand; but the rule is shown to cover much more ground than this kind of occasion. The third rule goes much beyond this, and lays down that unambiguous words may be sworn to so as to deceive the hearer, provided the swearer secretly adds some qualifying words unheard. Thus, he may swear, "I did not do so and so," adding "to-day" under his breath.

Another of these rules is that a man put upon his oath by an unofficial interrogator is at liberty to swear falsely in reply, because a private person, having no right to put anyone upon oath, is not entitled to a true answer. Even a judge may be

treated in the same way, if there be any informality in the form of his interrogation, as the technical irregularity justifies the witness (or the accused, as the case may be) in returning a false answer. [In this case a witness might refuse to swear, but would not be justified in swearing falsely.]

The definition of a "just cause" supplied by Sanchez is that it applies to all cases affecting one's bodily safety, honour, or property, to the accomplishment of any virtuous act, and to the concealment of the truth when it is not expedient to disclose it.

Suarez, a still more famous and authoritative Jesuit author, sets himself to refute the following maxim of St. Isidore of Seville, who was a strong opponent of lying in all its forms :

"With whatever craftiness of words anyone may swear, nevertheless God, who is the witness of the conscience, takes it as he to whom the oath is sworn understands it. He becomes twice guilty who takes God's names in vain, and snares his neighbour by deceit." (Sent., 11-31.)

And the manner in which Suarez succeeds in setting it aside is by saying that it does not hold good as just stated : that the true maxim is that God understands the oath as he who relies on it ought to have understood it, not as he actually did understand it, so that if by reason of ignorance or any fault of his own he misunderstands the oath, and does anything in consequence of such misunderstanding, and relying on the oath as his security, the swearer of the oath is in no way morally bound to perform it in the sense

which it seemingly bore. [What obliquity of moral perception.] *Opus de Statu et Virtute Religionis, Moguntiae, 1623, Vol. II., Lib. iii., De Juramento.*

Not dissimilar to this is the opinion of Scavini, a casuist whose moral theology was dedicated to Pius IX. He states the case as follows: "He who promises something on oath, but without any intention of binding himself, gravely sins, they say more commonly, seeing that it seems grave irreverence to adduce God as witness, and not mean to be tied down by His testimony. There are, however, some who teach that it is only a venial sin; and, indeed, very probably, for there cannot be any oath without the intention of binding one's self, and thus the oath cannot be violated, and therefore there is only (!) the taking of God's name in vain." Tract V., disp. ii., cap. ii., art. iii.

It is to be borne in mind that by a decree of the Council of Trent venial sins need not be confessed, and do not quench grace. (Sess. XIV., chap. v.)

The statement of Busembaum, "*Cum finis est licitus, etiam media sunt licita,*" and again, "*Cui licitus est finis, etiam licent media,*" will be found in the edition of Frankfort, 1653, at pages 320 and 504.

#### WAGEMANN ON MEANS AND ENDS.

The edition of Wagemann's "*Synopsis Theologiæ Moralis*" consulted is that of Augsburg, 1762. A longer extract than that previously cited will best define his position on the relation of means and ends.

"Is the intention of a good end rendered vicious

by the choice of bad means? Not if the end itself be intended, irrespective of the means." Then the following example is given as an illustration: "Caius is minded to bestow alms, without at the time taking thought as to the means; subsequently from avarice he resolves to give the alms out of the profit of theft, which he accordingly commits," and then Wagemann concludes that Caius is entitled to the merits of charity by reason of the alms so procured for disbursement. A few specimens of Jesuit teaching on various cases of conscience may be conveniently set down.

#### COLLUSION OF BRIBED JUDGES.

"Is a judge bound to restore what he has received for an unjust sentence? Some affirm that he is. . . . The reason is that a judge cannot receive anything, either for a just or an unjust sentence. Nevertheless, he is bound to restore that which he has received for a just sentence, because the giver is accounted as having given it under compulsion since he had a right to the just sentence. But it is otherwise with him who has obtained an unjust sentence to which he had no right, for then the judge is not bound to restore until required by a judicial sentence to do so. (Honoratus Fabri, *Apologeticus Doctrinæ Moralis Societatis Jesu*, Anonymus contra Anonymum, c. 30, Cologne, 1672.)

Question V.—"Is a judge bound to restore the bribe he has received for passing sentence? . . . .

"Answer.—If he has received the bribe for passing an unjust sentence, it is probable that he may keep

it. . . This opinion is maintained and defended by fifty-eight doctors. (J. B. Taberna, *Synopsis Theologiæ Practicæ*, Pars. II., tr. ii., c. 31, Cologne, 1736.)

“Is a judge bound to restore the bribe which he has received for passing judgment? Answer.—If he has received it for a just sentence he is bound to restore it, because it was due on other grounds to the litigant, and he has thus got no value for his money. If the judge has received it for an unjust sentence, he is not bound by natural right to make restitution, as Bannez, Sanchez, etc., teach, because he was not bound to pronounce that unjust sentence. But this his action is beneficial to the litigant, and the unjust judge exposes himself to great danger by it, especially in his reputation, if he should be convicted of injustice. Now the exposure to such danger in the service of another may be estimated at a price.” (Lacroix, S. J., *Theologia Moralis*, Tom. IV., Lib. iv. De Judice, c. 3, art. 4, quæst. 268, num. 1498.) This book is an expanded edition of Busembaum.

#### MURDER.

“If A poisons wine and sets it before B, with intent to cause his death, and C, who is ignorant of the design, drinks it, being suffered so to do by A, lest the crime should be detected, then A is not guilty of C’s murder, nor bound to make compensation for any injury that may follow from C’s death, because A had no intention of killing C, did not foresee what happened, and was not bound to prevent it by exposing himself to danger by confessing his act.” (Lacroix, Tom

III., Lib. iii., pars. ii., tr. 5, c. 2, dub. vi., quæst. xlvi., num. 202).

In another edition of Busembaum, published at Padua, the editor admits that Pope Alexander VII. condemned forty-five propositions in his work as contrary to Christian morality. Innocent XI. condemned sixty-five more, and Alexander VIII. thirty-one in addition, thus making no fewer than a hundred and forty-one propositions false and dangerous in this single author. Here are a few articles:—

“A monk or clergyman may kill a slanderer who is spreading falsehoods about him, if he has no other way of defending his character.”

“A man charged with a legal crime may lawfully kill a false accuser, false witnesses, and a judge who he has reason to believe will condemn him unjustly.”

“A son may lawfully rejoice in the parricide committed by himself when drunk, if thereby he inherits great riches.”

“No one is bound under pain of mortal sin to make restitution of the product of a number of small thefts, even if the aggregate amount be large.”

“It is probable that it is not a mortal sin to bring a false accusation to defend one’s own right or honour, ‘and if this be not probable, there is no such thing as a probable opinion in theology.’”

“A people commits no sin in refusing, even without any reason, to accept a law promulgated by the Sovereign.”

The number of similar quotations could be extended *ad infinitum*.

## THE SPIRIT OF THE PRECEPTS.

Father Airaut (proposition sur le cinquième précepte du Decalogue, p. 322) writes:—

“One asks whether a woman may make use of means to obtain abortion. I answer, yes, if quickening has not taken place, and the pregnancy is not dangerous. But even if there has been quickening already, it may be effected as soon as a conviction is arrived at that she must die by the birth. Under all circumstances, however, a young person who has been led astray may do so, as her honour must be to her” (that is all she is to consider) “more precious than the life of the child.”

Again Father Airaut says:—

“In order to cut short calumny most quickly, one may cause the death of the calumniator, but as secretly as possible to avoid observation.” (*The end justifies the means.*)

The Jesuit Herreau dictated the following precept to his pupils at the college in Paris in 1641:—

“If any one by a false accusation should calumniate me to a prince, judge or other man of honour, and I can maintain my good name in no other way than by assassinating him secretly, I should be justified in doing so; moreover, I should be also justified had the crime of which I was accused been actually committed by me, though concealed under the veil of secrecy in such a way that it would not be easy to discover it through judicial investigation.”

The father seems here to impress on his pupils that the precept “cum finis est licitus, etiam media sunt



licita" should not be to them a dead letter in their intercourse with mankind.

Father Escobar, likewise, in his moral philosophy (these fathers are partial to the term "moral" at the head of their immoral precepts), published in 1655, teaches:—

"That it is absolutely allowable to kill a man whenever the general welfare or proper security demands it."

The great Hermann Busembaum in the work above quoted teaches the same doctrine:—

"In order," he says, "to defend his life, *preserve his limbs entire or save his honour*, a son may even murder his father, a monk his abbot, and a subject his prince." This last precept was put in force or attempted in every country of Europe. And this from one of the most distinguished and trusted theologians of the Jesuits, whose morality has been so highly prized that his works have run through more than 200 editions. "*Cum finis est licitus*," etc.

Father Francis Lamy enters into particulars (Vol. V. of his work, Disp. Nam. 148). I can give only a few of these, before coming to his conclusion.

"It cannot be denied," he states, "that ecclesiastics and members of the monkish orders are compelled to maintain their honour, etc.; if then, one of them loses the same he can neither be any longer useful. On that account, is it not an established truth (?) that ecclesiastics must save their honour at any price, even at that of the life of the person insulting them?" "Yes," he answers, "they are indeed forced to remove

their calumniator, when by this means alone they can make themselves secure; and this is especially the case when the loss of their honour would tend to the disgrace of the whole order." The word "remove" used here has been introduced from Jesuit authors into Irish campaign literature. To commit murder is a novel way to save a priest's honour. An eye, it would seem, is had all through these didactic deliverances to the "Company of Jesus," the aristocracy of the religious world, "*Cui concessus est finis, concessa etiam sunt media ad finem ordinata.*" (The great father Layman, *Theologia moralis*, Munich, 1625.)

Father Henriques teaches the same doctrine under the significant heading of *Summa Theologiæ Moralis* (Venet 1600).

"If an ecclesiastic," he says, "caught in adultery by the husband of a woman with whom he has a love affair, kills the man in order to defend his own life and honour, he is not only quite justified in doing so, but he is on that account not incapacitated from continuing the exercise of his ecclesiastical functions!" "Is the intention of a good end rendered vicious by the choice of bad means? Not if the end itself," he answers, "be intended irrespective of the means." Then he gives the illustration of Caius stealing the means to bestow charity, and says, "he is entitled to the merit of charity." This is taken from the moral philosophy (moral again) of the illustrious Jesuit, Wagemann, professor of morals (!) at the University of Innsbruck (1762).

The precept is coolly laid down by the famous

Sanchez: "That it is allowable to murder every one who advances an unjust accusation or bears false evidence against us, as soon as we are assured that a great injury will thereby be occasioned to us. Such actions cannot be properly designated as murders, but merely allowable defences (*'cui enim licet finis ei et media permissa sunt'*)." The means used to accomplish an end, justifiable in the mind of the actor, are also justifiable, although those means are murders.

The great Benedict Stattler, before quoted, expresses himself most clearly (in his moral (!) philosophy, Vol. I., p. 337). "A real injury," he says, "bringing disgrace on one, as, for instance, a horse-whipping or blow on the face, may be retaliated by the murder of the insulter, if it cannot be remedied in any other manner. Other grievous offences, especially calumniations, need not certainly be obviated in general by the murder of the offender, but is very allowable in the following cases: 1. When there seems to be a certainty of the false calumniator finding credence among men. 2. If he cuts off from us thereby all means of saving our honour. 3. If we can remove, by the murder of our enemy, the danger of our suffering shame." "*Quia ubi licitus est finis, etiam licita sunt media per se indifferentia*" (Gury) "the end justifies the means, although indifferent in themselves."

What frightful consequences such doctrines bring in their train, as when Parson Riembauer adduced the great authority of Father Stattler's "Christian moral(!) philosophy," in justification when he was tried for the murder in cold blood of Anna Eichstatter, because she

threatened ("only threatened") to make certain revelations about him.

#### FALSEHOOD RECOMMENDED.

Father Benedict Stattler, in his celebrated work, *Allgemeine Katholisch Christliche Sittenlehre* (Munich, 1790, Vol. 1), says :

"It is still more allowable to bring the calumniator to universal notice by a disclosure of his secret transgressions or crimes, also to attribute a false crime to the calumniator is allowable for such object; if this should be the only sufficient, indispensable, or even serviceable means to deprive him of all belief and credit for his calumnation."

Tamburin, in his *Decalogus* (Lib. 9, Cap. 2, §2), recommends reprisals against any one by whom one may have been insulted, not merely by means of judicial complaints, but by retaliation, and before everything, by detraction and calumny, to deprive such person of honour and good repute. *A number of people will* soon be found who will swear to the calumny, as naturally men have much desire for wickedness. and thus the person insulting always falls into greater disgrace, until at length everyone points a finger at him.

#### MORE OF BUSEMBAUM.

Hermann Busembaum, one of the earliest and most noted Jesuit fathers who wrote on this subject, and the first to teach the doctrine in his *medulla*, "*cum finis est licitus, etiam media sunt licita*" (p. 320,

Frankcoforti, 1653 ; " When the end is allowable or justifiable, the means are also allowable,"), says, in his *Christian Theology*, Book III., Part vi., Ch. I, that :

" In the case of anyone unjustifiably making an attack on your honour, when you cannot otherwise defend yourself than by impeaching the integrity of the person insulting you, it is quite allowable to do so."

Busembaum proceeds to give a kind of a sliding scale of immorality, or morality, as the Jesuit would call it, in the retaliation ; " no greater insult," he teaches, " must be inflicted on the person than has befallen yourself, an exact comparison being made between your own worth and that of the insulter." If, he seems to mean, the insulted person, say a Jesuit priest, has a standing ten times higher than the insulter, the latter should be slandered ten times more than he slandered the priest ; and if the insulted should be the general of the order, there would seem to be no limits, within measurable bounds, of the amount of abuse which could, justifiably, be heaped upon the offender. It would be simply a big scolding match.

Leonard Lassius expresses himself more freely (*Lib. II., De Anst, Cap. 2*). " Has any one," he writes, " made an attack on your honour, you may then at once make use of retaliation, and you have thereby nothing else to observe than to keep up a comparison as much as possible."

## THE JESUIT THEOLOGIANS.

A word as to the fathers from whom the quotations are taken. The earliest of these, Layman, whose *Theologia Moralis* was published at Munich in 1625, was pronounced by Father Gury, one of their most distinguished writers, as "inter maximos theologiæ moralis doctores." Hermann Busembaum, whose *medulla* was published at Frankfort in 1653, was one of the first to propound this very peculiar, not to say infernal, morality, "cum finis est licitus, etiam media sunt licita." His work has been recently stamped with the authority of the press of the "propaganda" at Rome. Father Voit's "moral theology" has gone through at least sixteen editions, the last in 1860. Many of the other authorities are referred to in the notes above, where they are quoted.

Will not the reader, in looking over these precepts, and the facts adduced in illustration, exclaim, with the student who has solved a problem in Euclid, *quod erat demonstrandum*? Is there an ingenuous mind who will not admit that "what was proposed has been demonstrated."

In the trial of the Jesuit Father LaVallette, by the Parliament of France in 1760, the Prague edition of the *Corpus Institutorum Jesu* laid before the Parliament by the Jesuits in their defence, was ordered to be examined by a committee of learned men (Papists, be it remembered); on their report, Parliament declared the "institutions as through and through offensive," and caused twenty-three of their leading works to be

“torn up and burned at the foot of the great staircase at the palace of Parliament.”

From these works my space will allow me to give only brief samples of what a Parliament (infidel as the Romanists declare) called “offensive through and through.” They belong not to individuals merely, but to the whole society.

*Of Murder.* The Jesuit Herreau dictated the following precept to his pupils at the college in Paris in 1641 (100 years after the order was established): “If anyone, by a false accusation, should calumniate me,—and I can maintain my good name in no other way, I should be justified in assassinating him,—I should also be justified, had the crime of which I was accused been committed.” Father Escobar, in his *Moral Philosophy*, taught: “That it is quite allowable to murder one bearing false (witness) against you, if such act compromises your life or your honour. It may be done also if the false witness has temporal good in view. One may secretly kill a calumniator if there are no other means of warding off the peril.” (p. 414). Busembaum, Fathers Lamy, Henrique, the great Stattler, and others, express themselves most clearly to the same effect. Father Henrique (*Summa Theologiæ Moralis*) says: “If an ecclesiastic, caught in adultery by the husband of the woman, kills the man to defend his own life and honour, he is not only quite justified, but is not incapacitated from exercising his ecclesiastical functions.” The famous Father Sanchez coolly asserts: “It is allowable to murder anyone who advances an unjust accusation, or bears

false witness against us." Parson Riembauer adduced Stattler's *Christian Moral Philosophy* as a justification when he murdered Anna Eichslatter in cold blood, because she threatened to make certain revelations about him. Surely the doctrine taught in this and the other quotations is, that "the end justifies the means."

*Of Theft.* Father Pierre Aragon says: "It is allowable to steal in consequence of the straits in which one finds himself—secretly or openly; all things are common property according to the rights of nature." Father Longuet says: "The theft must be done secretly." Father Escobar asserts that "the person robbed must be rich," therefore, "when thou findest a thief who intends to rob a needy person, thou must point out a rich one whom he may plunder." Father Paul Gabriel goes into particulars, and fixes the sum at three francs which one may steal at one time, but he may repeat the offence as long as he is in want. From masters, too, "servants may steal in compensation, etc." Of false oaths and perjury I have given quotations above.

*On Adultery* the Jesuit Fathers are particularly rich and copious, but I can venture to give only brief extracts, in their least offensive outlines, of the disgusting details. Father Francis Zaver Fegeli (in his practical questions regarding the functions of a father confessor!) says: "He who leads a young maiden astray with her own consent is not guilty of sin, because she is mistress of her own person, and can dispense her favours as she wishes." Fathers Escobar



and Moullet affirm the same. If, says the latter, the transgression should remain a secret, the woman is not entitled to compensation. If any one enters into a guilty relation with a married woman, not on account of being married, but because she is beautiful, the sin of adultery is not chargeable, only an impropriety. Father Tamburini says : "The woman gives her favours and the man the money, *exactly* as the host the wine and the guest the drink-money."

On *Abortion* : Father Airaut taught that "a woman may make use of abortion to get rid of an immature child."

On *Fraud in Trade* : Father Tolet taught that : "When one cannot sell his wine at the price he considers it worth, he can give smaller measure, and mix it with water, in such a way, of course, that everyone believes he has the full measure, and that the wine is pure!"

1. "Positive Divine and human law is not binding in general, if its observation happens to cause serious injury or serious damage." *Gury* : Compendium theol., mor. Ed. altera, Romæ, 1869, I., §100, IV., page 80.

"If an officer has been offended, he may at once turn upon the offender and retaliate ; *he must only not have the intention of returning evil for evil, but only to save his honour* ;—non ut malum pro malo reddat, sed ut conservat honorem." *Reginaldus* : Vide Pascal ; Les Provinciales, Amsterdam, 1735, II., page 87.

"If the son of a merchant manages the estates of his father, and the latter wants to give him no salary, then the son can take it secretly."

Thus Layman, *Escobar*, and others. *Escobar Liber theologiæ moralis*, Bruxellæ, 1651, page 163, 31.

"Subjects who do not accept a law without sufficient reason commit no wrong if no great disadvantage accrue to the State therefrom." *Diana, Resolutionum Moralium*, Tomus Primus, Res. II., Antwerpia, 1647.

"Every citizen of an oppressed State is allowed to kill a tyrant. . . . The people have the right to revolt against a prince who, from being a shepherd of the people, has become a wolf." *Tanner, Eisele Jes. Cath.*, page 150.

"If a king tramples upon public laws and the holy religion, he must not longer be tolerated. The easiest way to get rid of such a prince is that the States declare him to be an enemy to the Fatherland, who is to be killed with the sword. Even every private man, who wishes to stake his life for the salvation of the State, has the right to do this." *Mariana, De rege et Regis institutione*, 1598, page 78 ; 51-64.

"The third and most villainous kind of tyrants are the heretical kings ; every heretical king is necessarily a tyrant." Thus *Rainold*. See *Eisele, Jesuitismus and Katholizismus*, page 149 f.

"There cannot easily be another evil for a Catholic prince which would be so serious that he, in order to avoid this evil, could allow, or ratify under oath, freedom of religion to his heretical subjects." Layman,

"Theologia Moralis," I. Fol., page 268, n. 4. Wercebugi, 1748.

"Freedom of religion must never be allowed; it is against the Divine commandment, it is dangerous to the state. It is not to be commanded, approved or introduced by any prince or government, but is to be prohibited and suppressed by all means, if at all possible. But where this cannot be done conveniently without serious disadvantage to the state, then it may be tolerated for some time; if this is the outcome of a treaty it must be kept. It is allowed to tolerate freedom of religion in order to avoid a greater evil. Beccanus." *Opera omnia aliquot tractatibus posthumis aucta*, I., pag. 362, quæst IV., Fol. Moguntiæ 1649.

"A woman is resolved to take her life in order to avoid disgrace on account of pregnancy. May one advise her to artificially bring about an abortion? Cardinal Nugo answers in the affirmative: if she can in no other manner be persuaded to desist." (*Escobar Liber Theologiæ Moralis*, Bruxellæ 1651, p. 126-64.)

"A woman may bring about an artificial abortion by the means of baths, medicines, etc., only she must thereby not have the intention of directly endangering the fœtus, but to preserve life and health. (*Azorius, Institutionum moralium*, Tom. III., p. 138, n., 22, ed. Coloniae, 1608.)

So *Molina* and *Salonius* teach that a disagreeable witness may be defamed and slandered so that others place no faith in him, "quando enim fides data est, perseverat injuria." Just so, *Diana*, *Dicastill* and many others teach. (*Diana Resolutionum moralium*,

Tom. IX., n. IX., res. XLIII., p. 377 seq., Antwerpiae 1647; Aumma Diana, etc., p. 625, n. 6, Lug. 1664.)

Here you have the key to Ultramontane Jesuitical polemics: slander your opponent and so blacken his character that few people will believe him. This is genuine Jesuitical doctrine, "The end justifies the means."

According to Busembaum, servants commit no sin if they do certain services which they cannot refuse without considerable disadvantage to themselves. (Lib. 2, tr. 3, art. 4, sub. 4.)

"An honourable man may secretly steal his necessities of life if begging should prove too great a burden to him." (Diana (C), p. 245, n. 2, "Tracticæ Resolutiones," Antwerpiae 1641.)

*Escobar* and *Salas* allow druggists to give a cheaper medicine instead of the more expensive, if the former is just as useful, or nearly as useful, as the expensive, which latter of course must be paid for. *Lopez* allows to mix water with wine or chaff with wheat if a person is compelled to sell good ware just as cheap as others sell poor ware. (*Lessius* "De justitia et jure," folio, Lugduni 1611, p. 262, n. 83.)

It is allowed to cheat while playing a game if it is done on both sides and if it is according to the rules of a game. (Filliucius "Resolutionum moralium cursus," II. Vol., folio, p. 674, n. 100, n. 102.)

Such and similar doctrines did the Jesuits teach their pupils in their boasted schools. Are we not, then, justly alarmed when these men, driven out of countries of their own faith, fasten themselves upon

this young dominion, get an act of incorporation (denied them in all other countries) and receive an endowment from the public exchequer? Can we help being filled with horror when we consider that the youth of the land are to be committed at tender ages to the care of such teachers of iniquity, corrupting the fountain of life and perverting every moral and religious precept? How many Riembausers will come from their schools in Canada, sweeping through the land like "a pestilence that walketh in darkness."

Hence the uprising of even Romanist countries against these vaunted fathers as educators, especially when it was found how little of an actually scientific education was given in their schools, and how perverted, defective and injurious was their whole method. "They taught the sciences with the abstraction of the noblest portions," all that might enlighten the understanding, raise and ennoble the sentiments—all that might in any way lay bare the objects of the Jesuits.



## APPENDIX.

As a guarantee for the accuracy of the translations contained in the foregoing collection, we here give the original Latin of the passages quoted, and, to facilitate reference to them by those who have the works in other editions, the chapters and sections are indicated, rather than the pages. In all cases the passages are given complete just as they stand, except that in several instances cases grouped together are separated, and detailed references to other authors usually omitted. Neither of these in any way affects the sense.

(1) "Licet etiam, saltem in foro conscientiæ, custodes (præcisa vi et injuria) decipere, tradendo v. gr. cibum et potum ut sopiantur, vel procurando ut absint: item vincula et carceres effringere: quia cum finis est licitus, etiam media sunt licita. Et licet alii captivi per effractum parietem elebantur, non tenebitur de damno: quia tantum est ejus causa per accidens, cum jure suo utatur. Nec refert, quod leges et magistratus quidam tales effractores graviter puniant: id enim fit, quod vel contrariam sententiam sequantur, vel ex præsumptione quod vim intulerint custodibus, vel quod propter bonum reipublicæ ea pœna statuta sit." (Busembaum, *Medulla Theologiæ Moralis*, Lib. 4, Cap. 3, Dub. 7, Art. 2.)

(2) "Quæres.—An, et quando liceant tactus, aspectus, et verba turpia inter conjuges.

"Resp.—Tales actus per se iis licent; quia cui licitus est finis etiam licent media, et cui licet consummatio, etiam licet inchoatio. Unde licite talibus naturam

excitant ad copulam. Quod si vero separatim et sine ordine ad copulam, v. gr. voluptatis causa tantum fiant, sunt venialia peccata; eo quod ratione status qui illos actus cohonestat, habeant jus ad illos. Nisi tamen, ut sæpe contingit, sint conjuncti cum periculo pollutionis, aut conjuges habeant votum castitatis: tunc enim sunt mortalia, ut dictum est supra." (Busembaum, Med. Theol. Mor., Lib. 6, Tract. 6, Cap. 2, Dub. 2, Art. 1.)

(3) "Redimere pecunia ne de tua fide fiat inquisitio, licitum est: et sæpe magna virtus discretionis est vitam ad Dei gloriam servare, ac fidem tegere modis licitis." (Bus., Medulla, L. 2, T. 1, C. 3)

(4) "Licitus autem modus est, quando subest causa (ut v. gr. ad evitandum grave periculum, ad obtinendam victoriam, eludendos hostes), uti vestibus et signis infidelium, quæ aliquem alium usum habent quam profitendæ religionis, quales sunt vestes talis nationis (non religionis), quibus uterentur etsi converterentur: ut sunt vestes et signa nationis turcicæ. Quod verum est, etsi sint vestes ipsorum religiosorum, dummodo non habeat peculiare signum profitendi erroris, sed sint tantum indicium nitidioris cultus, ut saga prædicantium in Germania, vel eminentioris vitæ inter suos, ut togæ Bonziorum in Japonia. Idem dicendum est de signis quibus judæi utuntur, v. gr. flavo annulo in pallio Francoforti, etc.; quia hæc sunt signa mere politica et distinctiva unius generis hominum ab alio, et non proprie professiva fidei. Quæ sententia probabilis est.

"Licitus item modus est cum catholicus transit per loca hæretica, et periculum grave ei imminet vitæ v. gr. vel bonorum (non tamen si derisio tantum vel vexatio, ut habet Bec.), ad dissimulandam fidem vesci carnibus die prohibito, quia præceptum Ecclesiæ non obligat sub tali



periculo. Nec hoc est fidem negare, cum esus carnium non sit institutus ad professionem religionis, et catholici etiam mali et gulosi id faciant. Si tamen ex circumstantiis fieret signum professivum, ut si v. gr. in odium fidei convivæ statuerent ut qui est hostis fidei pontificiæ comedat carnes ; peccaret contra fidem, qui ederet sine protestatione : secus si protestaretur." (Bus., Med., L. 2, T. 1, C. 3.)

(5) "An in juramento liceat uti æquivocatione.

"Resp.—Jurare cum æquivocatione, quando justa causa est et ipsa æquivocatio lieet, non est malum ; quia ubi est jus occultandi veritatem et occultatur sine mendacio, nulla irreverentia fit juramento. Quod si autem sine justa causa fiat, non erit quidem perjurium, cum saltem secundum aliquem sensum verborum vel restrictionem mentalem verum juret : erit tamen ex genere suo mortale contra religionem, cum sit gravis irreverentia, ad alterum in re gravi decipiendum usurpare juramentum. Ita communiter DD. Hac de re vide proposit. 25, inter damnatas ab Innoc. XI. Unde resolvitur.

"1. Graviter peccat, qui utitur æquivocatione quando non rogatus, sed sponte sua jurat ; quia tunc tenetur uti vocabulis secundum communem significationem, inquit Tolet, eo quod non habeat rationem æquivocandi.

"2. Graviter item peccat qui utitur æquivocatione quando juramentum juste exigitur, ut a judice, vel superiori in re gravi.

"3. Si autem fiat tale juramentum in re levi, per jocum, et citra inobedientiam ac notabile damnum ulterius, erit tantum veniale, ut probabiliter docet Sanch. contra alios ; quia sola discretione sive judicio caret.

"4. Licet æquivoce jurare, si juramentum exigatur injuste : ut v. gr. si quis exigit juramentum, qui jus non

habet, v. gr. judex incompetens, vel si non servet ordinem juris. Item si exigatur per vim, injuriam, metum : v. gr. si vir exigit juramentum ab uxore de adulterio occulto, si latrones exigant a te lytrum cum juramento.

“5. Qui exterius tantum juravit sine animo jurandi, non obligatur, nisi forte ratione scandali : cum non juraverit, sed luserit. In foro tamen externo potest cogi ut servet.” (Bus. Med., L. III., T. 2, C. 2, D. 4.)

(6) “An, et quomodo reus teneatur fateri veritatem.

“Resp. I.—Si non interrogetur legitime, non tenetur fateri suum crimen, sed potest judicem eludere vel ambiguis verbis, vel etiam negando, cum aliqua restrictione et in bono sensu, ut mendacium absit. \* Perpende tamen serio propos., 26, 27, et 28, inter. damn. ab Innoc. XI. \* Ratio est, quia tunc judex non habet jus interrogandi, aut obligationem imponendi reo. Unde resolves.

“1. Reus non tenetur fateri crimen suum. I. Si judex non sit legitimus. II. Si a seipso litis processum inchoet, sine prævia accusatione, saltem virtuali. III. Si non præcessit semiplena probatio, nec infamia, nec manifesta criminis indicia extant. Ratio est, quia in his judex non interrogat legitime.

“2. Nec tenetur, si dubitet an judex legitime interroget ; quia non tenetur parere cum gravi suo damno, nisi constet Superiorem posse præcipere.

“3. Judex tenetur reo manifestare statum causæ, et quæ sint indicia, quomodo probetur delictum, etc., ut reo constet an legitime interrogetur ; quia non tenebitur respondere alioqui, et seipsum honore aliisve bonis, quæ bona fide possidet, spoliare.

“4. Si reum juridice quidem interroget judex, sed nonnisi ex falsa præsumptione delicti, v. gr. an exierit ex tali domo stricto ense, potest reus (idem est de teste),

licet sciat semiplene probatum esse, id negare, si exit quidem, non tamen facto delicto, sed ob aliam causam, quia si iudex veritatem sciret, non posset interrogare.

“Resp. II.—Etsi communior et verior sententia sit S. Th., si reus legitime interrogetur a iudice, teneri in conscientia aperte veritatem dicere, probabile tamen est etiam quod ex Sylv. docet Sa, et Less., non teneri (saltem sub mortali) in causis capitalibus et gravioribus, si sit spes evadendi, et nullum grave damnum reipublicæ timeatur. Tann. C. Lug., d. 40, n. 15, ubi dicit esse sententiam valde probabilem et in praxi tutam. Ratio est, tum quia lex humana communiter non obligat cum tanto periculo, v. gr. mortis tum quia inhumanum videtur, ut qui convinci non potest, teneatur præbere arma contra se, quibus occidatur, aut gravem pœnam, v. gr. perpetui carceris subeat: tum quia non videtur tam heroicis actus præcipi posse.

“Dixi 1.—In capitalibus: quia aliud est de causis in quibus agitur de pœna ecclesiastica, quæ est medicinalis.

“Dixi 2.—Si sit spes evadendi: quia absque ea, cessat ratio celandi veritatem. Unde resolves.

“Non semper opus est, juxta dicta resp. 2, ut Confessarius reum urgeat ad crimen fatendum.

“Post sententiam reus non tenetur confiteri crimen, quod ante injuste negavit; quia finito iudicio, finitur obligatio rei. Imo probabile est nec ante sententiam ad id teneri, etiãmsi adhuc sit in potestate iudicis, donec iterum interrogetur.

“Resp. III.—Si quis ad evitanda tormenta gravia mentitus, falsum sibi crimen imposuit, per quod sit morte plectendus, non videtur mortale. Ita contra Nav. et alios docet Angl. Sylv. Less. Tann. Ratio est, quia non est mentitus perniciose, cum non teneatur tantis tor-

mentis vitam conservare." (Bus. Med. L. 4. C. 3, D. 7, A. I.)

(7) "Etsi ob contumeliam aliquam (v. gr. si viro honorato dicatur, mentiris) non liceat alterum occidere eo quod aliter repelli possit ac soleat, licere tamen, si aggressor fustem vel alapam viro valde honorato impingere conaretur, quam aliter avertere non possit, docent cum Dian. Less. Hurt. et alii 12. Verum et hoc videtur in praxi periculosum. \* Et recenter damnatum ab Innoc. XI., per prop. 30." \* (Bus. Med. L. 3, T. 4, C. 1, D. III.)

(8) "Non licet occidere, si injuria jam est contracta, vel aggressor jam fugit; quia id non esset se defendere, sed vindicare, ut docent Tol. Rodrig.; sed Henr. et Nav. Fern. dicunt, si læsus jam magnam faceret jacturam honoris nisi fugientem mox persequeretur, posse eum persequi et percutere, quantum esset satis ad defensionem honoris. Quod Laym. Bon. Less. Fill, Card, Lug., etc., putant practice vix posse fieri sine vindicta, etsi speculative videatur esse probabile. Vide Dian. Concedit tamen C. Lug., Mol., Less., etc. cum Dian. licere furem fugientem v. gr. cum equo tuo conficere telo vel sagitta; quia invasio adhuc durat. Etsi vero, id non liceat postquam in tutum se recepit; si tamen per judicem non possis recuperare rem tuam, potes ingredi locum ubi illa detinetur eamque tibi vindicare, et si alter vi impediat, vim vi repellere.

"Ad defensionem vitæ et integritatis membrorum licet etiam filio, religioso, et subdito se tueri, si opus sit, cum occisione, contra ipsum parentum, abbatem, principem: nisi forte propter mortem hujus secutura essent nimis magna incommoda, ut bella, etc.

"Licet quoque occidere eum, de quo certo constat

quod de facto paret insidias ad mortem, ut si uxor v.gr. sciat se noctu occidendam a marito, si non potest effugere, licet ei prævenire.

“Hinc etiam dicunt alii, ut Sanch. et alii, licere occidere eum, qui apud judicem falsa accusatione aut testimonio, etc., id agit unde certo tibi constat quod sis occidendus, vel mutilandus, vel etiam (quod alii difficiliter concedunt) amissurus bona temporalia honorem, etc.; quia hæc non est invasio, sed justa defensio, posito quod de alterius injuria tibi constet, nec sit alius evadendi modus. Less. tamen, Fill. et Laym. non audent id defendere, propter periculum abusuum. \* Circa doctrinam hujus animadvertite propos. 17 et 18, inter proscriptas ab Alex. VII.” \* (Bus. Med. L. 3. T. 4, C.I.D. 3.)

(9) “Hinc quoque, si quis injuste lædit famam tuam, nec potes eam tueri, nec recuperare alia vi quam imminuendo quoque famam illius, id licet, dummodo non falsa dicas (hoc enim prohibetur ad Innoc. XI. in propos. 44, inter damnatas), in tantum quantum ad tuam famam conservandam necesse est, nec magis lædas quam lædaris, collata tua et alterius persona.” (Bus. Med. L. 3, T. 6, C.I.D. 2.)

(10) “Quæres.—An licet alium infamare ad tormenta gravia vitanda?

“Resp. I.—Licet si crimen sit verum; quia nullam alteri facit injuriam, cum habeat jus illud in necessitate revelandi.” (Bus. Med. L. 3, T. 6, C.I.D. 2.)

(11) “Excusatus es a famæ restitutione . . .

“6. Si non possis absque periculo vitæ, vel si fama restituenda sit minoris valoris quam fama detractoris. Sic v. gr. Prælati non tenentur restituere vili homini, si aliter non potest quam cum amissione famæ suæ multo majoris momenti; sed sufficit tunc, si infamatum laudet,

aut pecunia compenset." (Bus. Med. L. 3, T. 6, C.I.D. 3.)

(12) "Nec item furatur, qui accipit in compensationem justam si aliter sibi debitum accipere nequeat: v.gr. si famulus justum stipendium non possit aliter obtinere, vel inique inductus sit ad serviendum iniquo pretio.

\* Circa compensationem hanc lege accurate propos. 37, inter proscriptas ab Innoc. XI." \* (Bus. Med. L. 3, T. 5, C.I.D. 1.)

(13) "Si filius v.gr. mercatoris, vel cauponis, administret bona parentis, potest a patre exigere salarium, quantum dare deberet extraneo; et si id impetrare non possit vel exigere non ausit, potest clam accipere. Ita probabiliter Laym. Dian." (Bus. Med. L. 3, T. 5, C.I.D., 4.)

(14) "Excusantur a peccato famuli, si ratione sui famulatus præstent quædam obsequia, quæ sine gravi suo incommodo negare non possint: ut v.gr. vestiant dominum, sternant equum, comitentur ad lupanar, meretrici deferant munera, eidem venienti aperiant ostium; quia hæc tantum remote se ad peccatum habent, et sine iis peccatum fieret. Unde tamen non sequitur alteri cuivis licere ea præstare.

"Ad ea opera, quæ propinquius se ad peccatum habent aut juvant, v. gr. subicere humeros, admovere scalas hero per fenestram ascendenti ad concubinam, deferre litteras amatorias ad meretricem, comitari ad duellum, etc., non sufficit communis ratio famulatus, sed exigunt majorem necessitatem et causam, ut licite fiant: v.gr. periculum gravis aut saltem notabilis damni, si detrectent. \* Hæc doctrina jam rejicitur ob damnatam ab Innocentio XI. propos. 51. \*

"Ea quæ ad peccatum proxime concurrunt vel

inducunt, vel cum justitia pugnant, etsi ex genere suo sint indifferentia, v.gr. hero alterum occisuro gladium dare, ostendere illum qui ad necem quæritur, compulsare campanam (sine scandalo tamen) ad concionem hæreticam, meretricem (etsi conductam ac paratam) e domo evocare et ad herum deducere, furi scalam applicare, gerenti injustum bellum dare mutuas pecunias, pagum hæretico domino vendere, gravissimam causam requirunt, hoc est metum tanti mali, quod secundum leges charitatis nemo teneatur subire ad evitandum malum alterius : v.gr. si alias occidendus esset.

“In civitatibus, in quibus id vitandi majoris mali causa permissum est, licet domum locare usurario (excipit tamen jus alienigenam) et meretricibus : maxime si alii conductores desint ; nisi tamen meretrices graviter nocerent vicinis honestis, vel ob situm ansam majorem darent peccatis.” (Bus. Med. L. 2, T. 3, C. 2, D. 5, A. 3.)

(15) “Tertia regula est : Possunt quoque absque mendacio ea verba usurpari, etiamsi ex sua significatione non sint ambigua, nec eum sensum verum admittant ex se, nec ex circumstantiis occurrentibus, sed tantum verum sensum reddant, ex aliquo addito mente proferentis retento, quodcunque illud sit. Ut si quis vel solus vel coram aliis, sive interrogatus, sive propria sponte, sive recreationis gratia, sive quocunque alio fine, juret se non fecisse aliquid, quod revera fecit, intelligendo intra se aliquid aliud quod non fecit, vel aliam diem ab ea in qua fecit, vel quodvis aliud additum verum, revera non mentitur, nec est perjurus, sed tamen non diceret unam veritatem determinatam, quam audientes concipiunt ac verba illa ex se significant, sed aliam veritatem disparatam. Hæc regula non est usque adeo certa, ut duæ

priores ; illam enim negant doctores num. 12 relati. Sed eam amplectuntur Angelus, Sylvester, et multi alii.” (Sanchez, Opus mor. in Dec. Lib. 3, Cap. 6. Viterbii, 1738-9.)

(16) “Palemon, furto gravissimo occulte patrato, ob præteritam infamiam in rei suspicionem facile venit. Itaque a satellitibus comprehensus in carcerem detruditur. Pluries evasionem tentat, sed conatibus non succedit eventus. A iudice interrogatus crimen iterum iterumque negat. Sententia juridica ad perpetuum carcerem damnatur. Non diu tamen in atra custodia fuit detentus ; nam, muro terebrato cum instrumentis a Paulo amico ipsi subministratis, aufugit, evasit, erupit. Iterum comprehensus se defendit, satellites evertendo, eorum vestes lacerando : feliciter ob eorum manibus sese eripit, præcipiti fugæ se committit, donec in extraneam ditionem se receperit.

“Quær.—An fugam e carcere arripere potuerit sive ante, sive post iudicis sententiam, etiam murum carceris terebrando vel fores effringendo ?

“Resp. I.—Licet reo fugere juxta communem sententiam, si non fuerit damnatus, quia ante sententiam nemo pœnam subire tenetur. Idem quidam dicunt, si reus fuerit quidem damnatus ad pœnam gravissimam, et carcer assignetur ad custodiam, donec pœna illa plectatur. II.—Negant vero communius, si carcer ad pœnam per sententiam iudicis jam assignatus fuerit, quia tenetur justæ sententiæ obedire. Excipiunt tamen plures, si carcer ille sit durissimus, quia esset actus heroicus subire pœnam gravissimam, quando facile effugi posset. III.—Quando autem illicitum non est reo effugere, hic non peccat fores effringendo vel muros terebrando, quia ubi licitus est finis, etiam licita sunt media per se indiffe-



rentia. Sic probabilius S. Lig. Non tamen reo licet custodem pecunia corrumpere, quia illius peccato cooperaretur." (Gury, Casus Conscientiæ, Tom. II., n. 12 et 14.)

(17) "An peccaverit reus, se a satellitibus, defendendo et ab eorum manibus anfugiendo ?

"Resp.—Peccavit Palemon ministris justitiæ resistendo, ipsorumque vestes lacerando, quia nunquam auctoritati resistere licet. Excusari tamen a peccato posset, si e manibus satellitum absque resistentia se eripuisset. Imo simplex eversio satellitis cæteraque hujusmodi ad fugam arripiendam, ubi agitur de tanta pœna vitanda, ut quid parvum, adeoque pro nihilo reputanda videntur. Saltem non peccavit graviter leve damnum eis inferendo, ad grave malum effugiendum, si non fuit resistentia gravis." (Gury, Casus, Tom. II., n. 16.)

(18) "Quær 1.—An liceat quandoque dissimulare fidem ?

"Resp. I.—Nunquam licet simulare falsam, quia perinde id esset ac veram exterius negare, quod intrinsece malum est. Aperte autem hoc constat ex verbis Christi modo relatis.

"Resp. II.—Licet ex gravi causa dissimulare seu occultare fidem veram, secluso scandali periculo. Ratio est, quia non semper urget præceptum Fidei confitendæ.

"Quær 2.—An interrogatus de Fide possit uti verbis ambiguis ?

"Resp. I.—Neg., quando tergiversatio vel silentium æquivalet negationi, aut erubescentiæ seu formidini, quæ in eis adjunctis necessario honori Dei, vel utilitati proximi detrahant. Tunc enim locum habent conditiones in princip. III. expositæ. Confirmantur id ex constanti

ecclesiæ praxi, et communi patrum doctrina. Insuper quoad publicam potestatem interrogantem, constat ex propositione damnata ab Innoc. XI., sub n. 48, quæ ejusmodi est: Si a potestate publica quis interrogetur, Fidem ingenue confiteri, ut Deo et Fidei gloriosum, consulo; tacere ut peccaminosum per se non damno.

“Resp. II.—Affirm. quando nullum præsentibus creatur scandalum, ac nulla apparet Fidei negatio aut formido, aut erubescencia, quia tunc nulla adest obligatio Fidem confitendi.

“Quær. 3.—An liceat uti signis aut vestibus infidelium?

“Resp. I.—Affirm, si sint vestes aut signa propria alicujus regionis, licet regio hæc tota sit infidelis; quia hæc ad religionem per se non referentur.

“Resp. II.—Si vero sint vestes et signa religionis, subdistinguendum est: probabilius adhuc affirmo, si fiat gravi de causa et vestes non sint tantum distinctivæ sectæ a secta, quia tunc usus primarius earum est ad corpus tegendum, et secundarius tantum ad sectam distinguendam. Secus autem, si vestes aut signa sint unice aut primario instituta ad sectam profitendam, ut sunt vestes et ornamenta quibus sacerdotes in exercitio functionum suarum utuntur.” (Gury, Compend, Tom. I., n. 190—1.)

(19) “Mathurinus, Sacerdos et Religiosus, in locis hæreticorum Missionarius, fervente persecutione, deprehenditur, atque ad tribunal traductus interrogatur; an sit catholicus? an sacerdos? an religiosus? an missam in hac regione celebraverit? an noverit constitutiones regionis, quibus professio religionis catholicæ prohibetur? Ad primum affirmative respondet Mathurinus; ad cætera, vero, negative, et sic obtinet ut dimittatur.

“Quær. I.—Quandonam sit obligatio Fidem exterius profitendi?

“Quær. II.—An Mathurinus fuerit obligatus, sub gravi, ad fatendum se esse catholicum, et utrum potuerit cætera negare, vel dissimilare?

“R. ad I. Quæs.—Datur obligatio sub gravi, de jure naturali, Fidem confitendi, quando honor Deo debitus, vel utilitas proximi secus cessaret, aut detrimentum notabile pateretur: v. gr. si sequeretur religionis contemptus, fidelium perversio aut scandalum, etc.

“R. ad II. Quæs.—I. Mathurinus non tantum laudabiliter egit, sed etiam sub gravi, debuit fateri, se esse catholicum, quia tenemur profiteri Fidem quoties id exigit gloria Dei et Christi; atqui in his circumstantiis, ex negatione vel dissimulatione Mathurini, honor Dei et Christi periclitatus fuisset, quia utrique magnus honor fuisset ademptus, ut patet. Ergo. . . Constat insuper ex propositione 18 damnata ab Innocentio XI.

“2. Non peccavit contra Fidem Mathurinus, cætera negando, quia non spectant directe et essentialiter ad Fidem, cum sint multi boni catholici qui non sunt Sacerdotes, nec Religiosi, etc. Hæc igitur quæ negavit sunt quid accessorie, et per accidens tantum se habent ad Fidem. Præterea, jam Fidem confessus est, se fatendo catholicum: ergo, nisi hoc retractet, Fidem negare minime censetur. Insuper, mens interrogantium est, non amplius inquirendi de Fide catholica, cum ipsi ab eo veritatem noverint, sed tantum accidentales criminis qualitates dignoscendi. Ergo Mathurinus, cum licita restrictione mentali, cætera hæc negare potuit.” (Gury, Casus, Tom. 1., n. 191-2.)

(20) “Edmundus, apud infideles Missionarius, sæviante adversus christianos persecutione, fidelibus permittit, ad

insidias persecutorum vitandas, ut nomina, quæ inter infideles communia habentur, usurpent, et etiam ut vestes nationis proprias adhibent, licet, nova lege principis, in signum falsæ religionis declarativum determinatæ sunt. Ipse vero ne detegatur, iisdem vestibus induitur, quibus ministri falsi cultus utuntur.

“Quær.—An Missionarius, ad se occultandum, indui posset vestibus ministrorum falsæ religionis, ita ut unus ex ipsis appareat?

“R.—Affirm. etiam in sensu distinctionis modo datæ. Vestes enim primario ad corpus tegendum inserviunt; et proinde non sunt tantem signa declarativa sectæ alicujus.” (Gury, Casus, Tom. I., n. 194-5.)

(21) “Paternus, minister protestans, dum extremo occumberet, ratus Religionem catholicam esse solam veram, postulavit ut ad se advocaretur secreto Sacerdos hujus religionis, qui tamen sub vestibus secularibus adveniret, ad declinandam omnem suspicionem abjurandæ hæreseos. Itaque Sacerdoti præsentī aperuit mentem suam, petens humiliter baptizari, sed cum duabus appositis conditionibus, scilicet : 1. ut si ex morbo decumberet, sibi liceret moriendo dissimulare Fidem catholicam et Baptismum susceptum. 2. ut si convalesceret, sibi permetteretur exspectare occasionem opportuniorem ad Fidem, sine periculo bonorum, exterius profitendam? Utrique conditioni libenter annuit Confessarius.

“Quær. I.—An Paterno permitti potuit primo conditio, seu ut moriendo Fidem dissimularet?

“Quær. II.—An concedi potuit secunda conditio, seu, ut si convalesceret, occasionem opportuniorem, exspectaret ad catholicam Fidem profitendam?

“R. ad I. Quæs.—Minime concedi potuit Paterno prima conditio; ratio est, quia tenebatur ante mortem

Fidem veram profiteri, erroresque quos docuerat revocare; secus, velut indispositus ad Baptismi gratiam admitti non potuit: quivis enim fidelium tenetur Fidem profiteri, non obstante quacunque jactura, quando id exigit honor Dei et salus proximi; atqui in iis circumstantiis, tum honor Dei, tum salus proximi externam Fidei professionem a Paterno exigebat, scilicet ad errores quos docuerat extirpandos; ergo . . . Si tamen, omnibus adhibitis experimentis, persuaderi nequeat, ultimi remedii loco, inducendus esset ut coram pluribus testibus protestetur se Religionem catholicam profiteri et in ea velle mori: vel asserat se magni momenti secretum Sacerdoti catholico commisisse, post obitum suum revelandum. Hoc enim modo, obligationi suæ forsitan satisfaciet. A fortiori id peragi posset, si Paternus non minister sed simplex hæreticus esset. Prudenter vero aget Confessarius, si non statim totam obligationem manifestet, sed leviolem prius declaret, ut ea admissa, pœnitens ad majorem deduci queat.

“R. ad II. Quæs.—Conditio altera Paterno concedi potuit, urgente gravi ratione, quia licet veram Fidem ad tempus dissimulare, ob maxima incommoda quæ ex professione publica sequerentur. Nullatenus tamen ei permittentum fuit ut exercet actus hæresis declarativos, v. gr. exercendo officium pastoris hæretici, vel sacramenta more hæreticorum ministrando, eosve sermonibus adhortando; quia in nullò casu fas est falsam sectam profiteri, et veram religionem negare.” (Gury, Casus, Tom. I., n. 196-8.)

(22) “Nunquam licet uti restrictione pure seu proprie mentali, nec amphibologia humano modo non perceptibili; a fortiori non licet cum iisdem jurare, quia est

simpliciter mendacium. Constat etiam ex propositionibus 26, 27 et 28 ab Innocentio XI. damnatis.

“Licet aliquando ex justa causa uti restrictione late id est improprie mentali, et verbis æquivocis, quando sensus a loquente intentus intelligi possit. Ratio est, quia hoc non est malum in se, cum proximus non proprie decipiat, sed ex justa causa tantum permittatur ejus deceptio; aliunde ad bonum societatis requiritur ut medium adsit licite celandi secretum; aliquando autem aliud medium non suppetit præter æquivocationem, aut restrictionem late seu improprie mentalem. Dixi, ex justa causa: quia si usus talium restrictionem absque proportionata causa permetteretur, nemo posset aut vellet alteri credere; hoc autem in maximum humanæ societatis damnum cederet. Ita communissime theologi.

“Licet vero uti ejusmodi lata restrictione etiam cum juramento; quamquam major causa tunc requiratur, cum divinum testimonium non sit sine judicio usurpandum. Resolves.

“3. Reus a judice non juridice aut non legitime interrogatus potest respondere se crimen non patrasse, subintelligendo, de quo possit inquiri, seu quod fateri teneatur.

“4. Possunt uti hujusmodi restrictione omnes personæ publicæ interrogatæ de rebus suæ fidei commissis, ut sunt secretarii, legati principum, duces exercituum, magistratus, advocati, medici, chirurgi, obstetrices, et quisquis officium et rationem habet veritatem aliquam occultandi. Si secreta his personis commissa violarentur, gravissima inde sequerentur incommoda in societate.

“5. Potest famulus, jussu domini, negare ipsum esse domi, quamvis adsit; quia talis locutio generatim usu recepta est ad significandum, eum non esse domi,

quatenus videri aut visitari possit. Attende tamen ad locorum consuetudinem." (Gury, Compend. Tom. I., n. 442-4.)

(23) "Anna, cum adulterium commisisset, viro de hoc suspicanti et sciscitanti respondit prima vice, se matrimonium non fregisse; secunda vice, cum jam a peccato fuisset absoluta, respondit: Innocens sum a tali crimine. Tandem tertia vice, adhuc instante viro, adulterium prorsus negavit dixitque: Non commisi, intelligendo adulterium tale quod tenear revelare; seu: Non commisi adulterium tibi revelandum.

"Quær.—An damnanda Anna?

"R. ad Quæs., seu ad casum Annæ. In triplici memorato casu, Anna a mendacio excusari potest. Etenim:

"In primo causa, dicere potuit se matrimonium non fregisse, siquidem adhuc subsistit.

"In secundo casu, potuit dicere se innocentem esse ab adulterii crimine, siquidem, peracta confessione, et recepta absolutione, ejus conscientia ab illo non amplius gravabatur, cum certitudinem moralem haberet illud sibi remissum fuisse. Imo potuit hoc asserere etiam cum juramento, juxta S. Lig., Less. Suar. cum sententia communi.

"In tertio casu, potuit etiam probabiliter negare se adulterium commisisse, intelligendo, ita ut peccatum marito revelare deberet; eodem modo quo reus potest dicere judici non legitimo interroganti: Crimen non commisi, id est intelligendo se non commisisse, ita ut teneatur illud ei manifestare. Sic ad hæc omnia S. Lig. cum aliis bene multis." (Gury, Casus, Tom. I., n. 416 et 418.)

(24) "Theofridus, hæres factus, cum bona occultasset

ex quibus non tenebatur creditoribus satisfacere, respondit se nihil prorsus occultasse. Alias, cum mutuo accepto jam satisfecisset, a iudice interrogatus an illud accepisset, negavit se accepisse. Alias etiam a præposito gabellarum interrogatus utrum res tributo subjectas deferret, respondit se nihil deferre.

“Quæs —An de mendacio damnandus sit Theofridus?

“R. ad Quæs., seu ad casum Theofridi.

“1. Theofridus non peccavit contra veritatem in primo casu, quia revera nihil occultavit in sensu interrogantis, seu in sensu in quo juste interrogari poterat. Hinc, respondendo se nihil occultasse, idem est ac si dixisset se nullum injuriam erga creditores commisisse, siquidem, in hoc solo sensu iudex vel ipsi creditores interrogare possunt.

“2. Neque peccavit in secundo casu, ob eandem rationem quia de solo debito interrogatur, scilicet utrum acceperit mutuum, et illud non restituerit.

“Neque censendus est peccasse in tertio casu, saltem in sententia probabili et communi, quæ tenet leges hujusmodi tributorum, seu ratione rerum quæ transferuntur de loco in locum, esse mere pœnales. Hinc dicere: Nihil defero, significat, quod sponte manifestare debeam; tuum est investigare, non vero interrogare. Clericis tamen suadendum est ut veritatem candide aperiant, ne, ea denegata, et negatione forte cognita, scandalum subsequatur.” (Gury, Casus Conse., Tom I., n. 416-7.)

(25) “Quær. I.—Quænam sint causæ a restitutione famæ excusantes?

“Resp.: Sequentes communiter admittuntur:

“3. Si restitutio famæ fieri nequeat sine vitæ periculo, quia vita est bonum ordinis superioris, ac fama; item si



restitutio famæ sit multo minoris valoris, ac jactura quam pati deberet diffamator, v.gr., si esset homo honoratus et præsertim bono publico vel Religioni valde utilis." (Gury, Compend Tom. I., n. 160.)

(26) "Sylvia, famula, derelicto domino, spectabili viro, cum audiisset Veronicam, honestam puellam, eidem domino sua addixisse officia, eam ab illo famulatu avertere conata est, asserendo eum esse virum valde singularem ac difficilem. Verum, cum Veronica dictis suis fidem non adhiberet, dixit aperte eum esse moribus perditum, et ancillis ipsi inservientibus periculosissimum.

"Quær.—An peccaverit Sylvia herum diffamando?

"Sylvia minime peccavit herum apud Veronicam diffamanda. Etenim detractio importat injustum proximi denigrationem; atque denigratio facto a Sylvia non fuit injusta, siquidem ex gravi, et proinde ex justa causa habita est, nempe ad bonum animæ seu ad salutem Veronicæ. Ergo. . . ." (Gury, Casus, Tom. I., n. 425-6.)

(27) "Occulta compensatio aliquando justa et licita esse potest, si requisitis conditionibus non careat.

"Quær 1.—Ad famuli judicantes salarium esse infra operam a se præstitam, uti possint occulta compensatione?

"Resp.—Neg. Saltem generatim loquendo, cum sententia communi. Constat: 1. Ex proposit. 37, ab Innocentio XI. damnata: Famuli et famulæ domesticæ possunt occulte heris suis surripere ad compensandam operam suam, quam majorem judicant salario quod recipiunt. 2. Ex ratione. Nam agerent contra pactum, cum in pretium minus consenserint et aliunde nihil ipsis debeatur nisi pretium de quo conventum est. Præterea si id liceret, via innumeris furtis panderetur; famuli enim sibi facile persuaderent stipendia esse justo minora;

sic nulla securitas dominis superesset. Idem etiam dicendum, ex paritate rationis, de omnibus operariis, artificibus et mercatoribus, qui ad compensationem recurrere vellent prætextu vilioris pretii quo operas suas locaverint, vel merces suas vendiderint.

“Dixi, Saltem generatim loquendo : quia excipiunt non pauci. 1. Si famulus vi aut metu compellatur ad consentiendum in pretium inæquale. 2. Si necessitate compulsus in illud consenserit, modo tamen dominus alios famulos eodem vili pretio, jam juste, non invenisset, vel hunc rogantem ex misericordia non exceperit. 3. Si invitus operibus indebitis gravetur.

“Quær 4.—An graviter, et contra justitiam peccet qui se compensat, quin prius ad judicem recurrerit ?

“Resp. I.—Non peccat per se contra justitiam, modo tantum accipiat, quantum sibi debetur ; nec proinde ad restitutionem tenetur. Ratio patet, quia, facta hac compensatione, restituitur æqualitas inter ipsum et debitorem. Dixi, per se : quia quandoque sequi posset detrimentum pro debitore ex privatione cujuspiam rei determinatæ, v.gr., equi, rei pretiosæ, etc.

“Resp. II.—Nec peccat graviter, generatim loquendo : quia ordinarie non sequitur ex hac ordinis inversione grave scandalum, nec gravis Reipublicæ perturbatio.

“Resp. III.—Nullo modo peccat, si difficilis sit recursus ad judicem, si scandali sit periculum, aut sumptus extraordinarii, etc., quia tunc recursus est moraliter impossibilis.” (Gury, Compend. Tom. I. n. 621, 623, et 625.)

(28) “Ejusdem (i.e., Tytiri) asellus nocte quadam, cum a fure e stâbulo solutus et abductus fuisset, e manibus hujus evadens in alienos agros aufugit, eosque nonnihil damnificavit. Quapropter novam sententiam

subire cogitur Tytirus, sed ideo et ipse etiam ad novam compensationem indignabundus recurrit.

“Quær.—An Tytirus sententiam acceptare debuerit, vel e contrario se compensare potuerit in hoc casu ?

“R.—In aselli casu, falsa est omnimodo præsumptio, cum ipse pastor omni culpa etiam juridica careat. Non potuit enim puniri ob diligentiae defectum, siquidem nullatenus factum impedire potuit : ergo nullo modo, ne iudice quidem, ipsi est imputandum. Si igitur damnatus fuit, ob præsumptionem negligentiae, quam non admisit neque admittere potuit, erronea est et materialiter injusta iudicis sententia. Ergo quod ad Tytirim, casus est meræ necessitatis (cas de force majeure), a quo omnino est absolvendus ; ergo de injustitia non est damnandus, et jure compensatione usus est.” (Gury, Casus, Tom. I., n. 104-5.)

(29) “ Marcus, alius famulus, officia sua obeundo, ex inadvertentia vas quoddam crystallinum fregit. Herus, iratus, stipendii, partem, subtraxit. Marcus autem occulta compensatione se indemnem fecit.

“Quær.—An Marcus potuerit partem stipendii sibi denegatam occulta compensatione recuperare ?

“Resp.—Quid verò de Marco ? Marcus, famulus, damnandus non videtur ex eo quod ad occultam compensationem recurrerit, ad se indemnem faciendum, si omnino involuntarie, seu absque ulla culpa theologica vas illud pretiosum fregit. Ratio est, quia nemo tenetur ad reparandum damnum absque culpa illatum, nisi in foro externo post sententiam iudicis, ut infra dicetur de injusto damnificatore. Ergo herus non potuit exigere damni reparationem. Ergo famulus potuit repetere id quod solvere non tenebatur. Etenim Marcus non potuit obligari, nisi ex conscientia, vel ex iudicis sententia.

Porro nulla existit obligatio ex sententia judicis in hypothesi, cum nulla sententia intervenerit; neque ex conscientia, siquidem non datur obligatio restituendi in conscientia, nisi in hoc foro culpa commissa fuerit." (Gury, Casus, Tom. I. n. 572 et 575.)

(30) "Quær.—Quid de illo qui scripturam, chirographum, aut apocham supponit, vel adulterat ad supplendos actus perditos, vel ad jus certum proseguendum?

"Resp. I.—Peccat saltem venialiter ratione mendacii: quia utcumque res se habeat, chirographum, quod exhibetur, diversum ab illo est quod in judicio fidem facit.

"Resp. II.—Potest aliquando peccare graviter contra Caritatem erga seipsum, quando se proximo exponat periculo gravissimarum pœnarum, si falsitas detegatur.

"Resp. III.—Nullatenus peccat contra justitiam commutativam, et proinde ad restitutionem minime tenetur." (Gury, Compend Tom. II., n. 28.)

(31) "Chrysantus, moriens, tradit Adriano testamentum olographum in ipsius gratiam conditum. Mortuo antem Chrysanto, felix Adrianus cum testamentum hilari animo perlustrasset, et super scrinium deposuisset dum ignem refocillaret, ecce nescio quo casu, aperto ostio, folium repentino venti turbine rapitur, et in ardentem ignem dejicitur. Impiger Adrianus illud flammis subducere satagit. Sed heu! irrita conatu! jam penitus combustum erat. Tum Adrianus in desperationem abiturus erat, cum ejus menti mira cogitatio suboritur. Ecce scripturam et subscriptionem testatoris perfecte simulat, et sic rem in integrum restituit.

"Quær I.—An, vel quomodo Adrianus peccaverit testamentam simulando?

“II.—An ad restitutionem erga hæredes naturales ex justitia teneatur?

“R. ad I. Quæs.—1. Adrianus excusari nequit a peccato contra veritatem, seu a peccatum mendacii, quia asserit præsens instrumentum esse primum testamentum, et esse subscriptionem testatoris, quod falsum est. Eadem ratione peccaret contra veritatem illi qui tali instrumento per alium confecto uteretur. Lacroix et alii, contra negantes hoc esse contra veritatem, quia supplens testamentum amissum, non intendit aliorum deceptionem, sed tantum rei suæ recuperationem. Cæterum, mendacium illud peccatum veniale per se non excedit.

“2. Adrianus per se non est excusandus a peccato gravi contra caritatem erga seipsum, quia se exposuit periculo maximæ pænæ, ut falsarius, aubeundæ. Excipe, nisi ad periculum illud non adverterit.

“3. Nec videtur excusandus a peccato mortali contra justitiam legalem, quæ omnem scripturam falsam sub gravissimis pœnis prohibet: quia, etiamsi nulli inferat præjudicium, id tamen est illicitum et severe prohibitum, ad vitandam fraudum occasionem. Nonnulli tamen docent hoc non esse mortale, apud Lacroix.

“R. ad II. Quæs.—Negative. Etenim Adrianus semel constitutus hæres legitimus ex valido testamento, statim post mortem testatoris acquisivit jus certum et strictum in hæreditem, ut patet. Atqui jus certum et strictum, semel acquisitum, non amittitur per tituli amissionem, sed solum per voluntariam cessionem, seu dominii legitimi translationem; ergo Adrianus jus suum non amisit. Numquid enim jus in re, seu jus strictum, comburitur, et in cineres redigitur, sicut titulus papyraceus quo comprobari potest? Minime gentium.

“ Porro, si Adrianus jus strictum habet in hæreditatem, non potest injuste agere, si media adhibeat, licet illicita, ad jus illud prosequendum ; neque injuriam inurit aliis consanguineis, si eos industria quacunq̃ue impediat ne in hæreditatem deveniant, cum jus nullum in illam habeant.

“ Objicies : Hæredes alii naturales per fraudem impediuntur, ne ad judicem recurrant. Etenim, seclusa hac tituli simulatione, Adrianus sententia juridica ab hæreditate possidenda deturbaretur ; ergo impediuntur ne ad judicem recurrant ; ergo in jure suo læduntur.

“ R.—Dist. Læduntur in jure suo putato, conc. ; in jure suo vero et stricto, neg. Etenim jus quidem habent ut Adrianus jus suum probet, siquidem ei credere non tenentur ; sed hoc eorum bona fide tantum, seu ex errore provenit ; licet enim formaliter juste agerent, materialiter tamen injuste ad judicem recurrerent. Et re quidem vera, si quis eorum testamentum omnibus formis vestitum conspexisset antequam periret, numquid illud tuta conscientia postea impugnare posset ? Hinc patet discrimen inter casum præsentem et duos præcedentes ; in hoc enim Adrianus jus certum habet ex valido testamento ; in illis vero legatarii jus tantum probabile ex testamento informi habebant, et per fraudem jus probabile aliorum hæredum destruebant.” (Gury, Casus, Tom. 1., n. 840-2.)

(32) “ Quær. I.—An possit famulus, metu mortis aut mutilationis, subjicere humeros hero ad fornicandum ascendenti ?

“ Resp.—Affirm. probabilius, quia non ponit actionem intrinsece malam. Sed tenetur postea domini sui domum deserere, si quid aliud ejusmodi timeat. Idem resolve in similibus.

“ Quær. II.—An liceat famulo ostium domus meretrici aperire ?

“Resp.—Communi<sup>us</sup> affirmant, modo adsit alius qui, non aperi<sup>ente</sup> ipso, aperi<sup>at</sup>. Hæc circumstantia enim co-operationem satis remotem facit.

“Plures tamen contendunt, nunquam licere ostium meretrici aperire, et innitantur propositione sequenti 51, ab Innoc. XI. damnata: Famulus qui, submissis humeris, scienter adjuvat herum suum ascendere per fenestras ad stuprandam virginem, et multoties ei subservit, deferendo scalam, aperiendo januam, aut quid simile co-operando, non peccat mortaliter, si id faciat metu notabilis detrimenti, puta ne a domino male tractetur, ne torvis oculis, aspiciatur, ne domo expellatur. Sed hæc verba, aperiendo januam, intelligi manifesto debent de aperienda per vim aliena domo, ut ex contextu patet. Præterea damnabilis est hæc propositio, quæ co-operationem levissima etiam de causa permittebat, scilicet ne famulus etiam torvis oculis aspiceretur.

“In civitatibus, in quibus vitandi majoris mali causa permissum est usurarios vel meretrices degere, licet domum hisce locare maxime si alii conductores desint, aut illis alias ædes conducere facile sit; nisi tamen meretrices graviter noceant vicinis honestis, vel ob situm domicilii majorem ansam ad peccandum præbeant.

“Quær. III.—An possit famulus ratione famulatus sternere equum domini ad peccandum profecturi, vel eum comitari?

“Resp.—Non videtur quidem illicitum, si famulus tantum equum sternat, quia in hoc non videtur magis peccato domini co-operari, quam aperiendo ostium meretrici. Sed nisi grave damnum immineat non permittendum ipsi foret comitari herum ad locum ubi peccatum est patrandum, quia propior est co-operatio.

“Non licet autem famulo herum ad peccandum comi-

tari, si hic animosior ex comitatu redderetur, ut habet S. Lig. Excusandus autem est famulus, quoties non est certus de pravo animo domini sui.

“Quær. IV.—An liceat famulo dona meretrici deferre?

“Resp.—Neg., saltem sine causa valde gravi, quia, cum hæc munera apta sint ad libidinem fovendam, co-operatio proxima est. Ita communiter. Imo hoc intrinsece malum reputat S. Lig., quia per se turpem amorem fovet. Sed probabilius contradicit Viva cum aliis.

“Quær. V.—An liceat famulo litteras amatorias concubinæ domini sui deferre?

“Resp.—Neg., nisi adsit ratio valde gravis. Imo juxta S. Lig., nunquam licet, etiam posita gravissima causa, quia (ut ait) hoc intrinsece malum est; oppositum tamen docet Vogler cum aliis. Cæterum famulus non tenetur inquirere quid in litteris contineatur.

“Porro quæ de famulis dicta sunt, fere aliis inferioribus, aut subditis, v. gr. filiis, uxoribus, etc., applicanda sunt.” (Gury, Compend., Tom. I., n. 250-1.)

(33) “Porro nunquam fas est malum, quantumvis leve patrare ad bonum quodcumque procurandum; nam juxta pervulgatum axioma ex Apostolo depromptum Rom. III., 8., Nunquam sunt facienda mala ut eveniant bona. Sic mentiri tibi non licet, etiam ad vitam hominis salvandam.” (Gury, Compend., Tom. I., n. 9.)

(34) “Si quis mentiatur ad liberandum proximus e periculo vitæ, putans inculpabiliter se ex Caritate ad id teneri, actum bonum facit: et si non mentiatur, contra Caritatem peccat.” (Gury, ibid., n. 38.)

(35) “Monica, tabernaria . . . (3) ad impediendas rixas et blasphemias, ad quas proclivis est ejus maritus, levia mendacia dicere solet; experientia enim ipsi constat hæc ad pacem domus servandam omnino necessaria esse.



“Quær.—An probandus modus virum compescendi?

“R.—Nego. Nunquam enim mendacium licitum esse potest ne ad bonum quidem notabile obtinendum, quia non sunt facienda mala, ut eveniant bona. Mendacium autem est objectum ex natura sua intrinsece malum, licet ex genere suo peccatum veniale non excedat. Verum, licet Monica sedulo a mendacio abstinere debeat, urgente tamen gravi causa, non tenetur totam veritatem viro iræ impotenti patefacere, juxta dicenda infra de octavo decalogi præcepto.” (Gury, Cas. Consc, Tom. I., n. 24 et 26.)

(36) “Quær.—An Confessarius possit, vel debeat absolute pœnitentem qui vult sequi opinionem probabilem quidem, sed oppositam sententiæ quam ipse tenet?

“Resp.—Affirm. si pœnitens adhæreat opinioni vere probabili cum conscientia efformata. Ratio est, quia pœnitens habet jus sequendi opinionem vere probabilem, nec Confessarius jus habet ipsi imponendi proprias opiniones, etiam si probabiliores ipsi videantur. Confessarius enim non est iudex opinionum quas pœnitens sequi teneatur sed est tantum iudex dispositionis sui pœnitentis, ut patet ex Trident. sess. XIV. c. v. Ita S. Liguori et alii communiter.” (Gury, Compend., Tom. I., n. 78.)

(37) “Pars VI.—Quod Constitutiones peccati obligationem non inducunt.

“Cap. V.—Cum exoptet Societas universas suas Constitutiones, declarationes, ac vivendi ordinem omnino juxta nostrum Institutum, nihil ulla in re declinando, observari; oportet etiam nihilominus suos omnes securos esse, vel certe adjuvari, ne in laqueum ullius peccati, quod ex vi Constitutionum hujusmodi, aut ordinationum proveniat incidant: Visum est nobis in Domino præter expressum votum, quo Societas Summo Pontifici pro

tempore existenti tenetur, ac tria alia essentialia Paupertatis, Castitatis, et Obedientiæ, nullas Constitutiones, Declarationes, vel ordinem ullum vivendi posse obligationem ad peccatum mortale vel veniale inducere: nisi Superior ea in nomine Domini nostri Jesu Christi, vel in virtute sanctæ obedientiæ juberet; quod in rebus, vel personis illis, in quibus judicabitur, quod ad particularem uniuscujusque, vel ad universale bonum multum conveniet, fieri poterit; et loco timoris offensæ succedat amor omnis perfectionis et desiderium: ut major gloria et laus Christi Creatoris ac Domini nostri consequatur." (Constitutiones Societatis Jesu, Romæ, 1570. Cum facultate Superiorum.)

A few short quotations have been added without the Latin text being given, but in these very definite references are made to the authors.

#### LOYOLA AND THE JESUITS.

IGNATIUS LOYOLA was born in 1492, in the Basque provinces of Spain, and died at Rome in 1556. In his youth he had been a soldier, but had been forced by a wound to retire from the army. The outlines of his order, the Company of Jesus, were modelled on that of the army. His first constitution was submitted to the Pope in 1539 (350 years ago). It contained the three vows of chastity, poverty and obedience; this, Loyola assured the Pontiff, had been given him from Heaven—every order of monks and nuns, as also the Koran of Mahomet, had been revealed, so the impostors pretended, in visions and inspirations. As the Pope hesitated to sanction Loyola's company, the wily Spaniard had another vision, and added a fourth vow—one of absolute obedience to the Supreme pontiff; Paul the 3rd then Pope

issued his bull, 1540, establishing the company. Loyola's order differed from the monks, who professed to retire from the world, while the Jesuits were an army—the police of the Roman See—which set out to conquer the world by obtaining dominion over the souls and bodies of men and women and bringing them into subjection to the Pope.

At first Loyola had but ten disciples; in 1608 (68 years after) they numbered 11,000. By 1688 they had obtained the chief control of education in all Papist countries, with their members admitted as confessors to kings, princes and princesses of the continent. There were also female Jesuits (sisters of the heart, immaculate heart, sweet heart, sacred heart of Mary, etc.), “carrying captive sillywomen laden with iniquity.” The body of the Virgin was divided into parts and deified. The judgment of the world, as to the dangerous character of the Jesuits, is shown by their having been expelled some seventy times, from fifty countries, including every nation of Europe and all the Papal countries of America, and the pagan nations of Asia—driven out like dogs, as their general, Borgia, predicted within thirty years of their origin.

There is a narrative in some lives of Loyola, of a long and curious conversation which he had with a Moor in the mountains of Aragon, giving an account of an organization called the Khouans, from which it is probable Loyola modelled his order. We find this formula in the Company of Jesus: “Thou shalt be in the hand of the director like a corpse,” or “Like a cane in the hand of a man.” The Khouans have similar expressions in their order: “Thou shalt be in the hand of the chief like a corpse in the hand of the washer of the dead, who

turns and turns it again, at his will ;" or "Like a cane," etc.

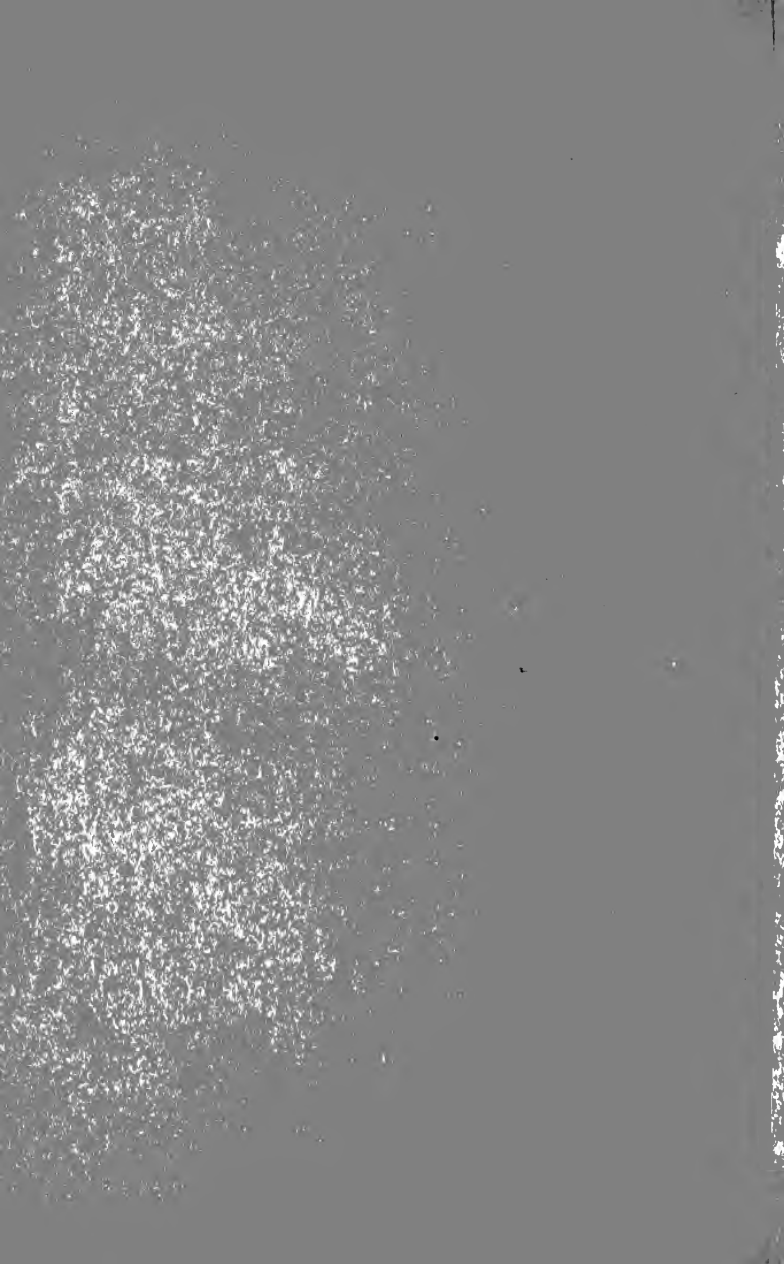
In all Mohammedan countries there has been, for centuries, a struggle between the governments and the Khouans and other orders, the same as has taken place in every country of Europe and America between the governments and the Jesuits. France to-day is fighting the Jesuits in France, and the Khouans in her African Provinces. Britain, too, in the past, has had a similar conflict with the Jesuits at home, and with the Khouans in India ; but to-day, through indolence, or a false and misplaced liberality, she closes her eyes, and "sleeps while the enemy sows tares." In 1850 the Clerical party in France, led by the Jesuits, asked and obtained, on the first day they became masters of the Assembly, the liberty of teaching in the primary and secondary schools ; a second time, in 1871 (21 years after) the same clerical party, again becoming masters of the Assembly, gained another step, and completed its work by obtaining the privilege of teaching in the highest schools. Now they are prohibited by law from teaching at all in France. "Give us the education of the children of this generation," they say, "and the next will be ours—ours in maxims, in morals, and in religion." The Jesuits are in the churches, schools, colleges, theological and secular, amongst Protestants. "How admirably our people imitate the Puritan preachers." wrote a Jesuit confessor of the King of England, in an intercepted letter to the confessor of Louis XIV.

We in Canada are ignorant of the history of the Jesuits, but when we come to know them, as the people of Europe know them, we, too, will follow their example, and expel them ; never will Canadians allow them to rule in this free and fair land.

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The following are the names of some of the authors (more than fifty) quoted:—Busembaum, Gury, Layman, Liguori, Wagemann, St. Thomas, Stattler, Filliutius, De Cardinas, Castropalos, Francis Borgia (General of the Order), Clement XIV., Strossmayer, Escobar, Deigo, Herreau, Henriques, Lessius, Airaut, Sanchez, Suarez, Lacroix, Bidore, Decastill, Mouillet, Tolet, Parliament of France, and twenty-five thirty others.





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